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**WILDLIFE**

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**The Honourable Steven Guilbeault, P.C., M.P.**

Minister of Environment and Climate Change

House of Commons

Ottawa, ON

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cc:

**Hon. Mélanie Joly, P.C., M.P.**, Minister of Foreign Affairs

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**Hon. Arif Virani, P.C., M.P.**, Minister of Justice and Attorney General of Canada

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Dear Minister Guilbeault,

7, September 2023

We are writing to better understand Canada's views on how best to tackle wildlife trafficking at the international level, and to encourage the Government to further consider the merits of an additional Protocol to the United Nations Convention against Transnational Organized Crime (UNTOC).

The size and scale of wildlife trafficking is a truly global challenge and one that demands urgent action. The value of illegal trade has been [estimated](#) at between \$7 and \$23 billion per year. A [report](#) by FINTRAC acknowledges that “*illegal wildlife trade not only affects Canada, but poses a serious threat internationally*”. Canada has signaled that this is a priority issue to address, both at home and abroad, and we were pleased to see the inclusion of the subject in the December 2021 Mandate Letter for the Minister of Environment and Climate Change Canada (ECCC) committing Canada to “*work with partners to curb illegal wildlife trade*”.

On 24 May 2023, during the 32nd session of the United Nations Commission on Crime Prevention and Criminal Justice (CCPCJ), the United Nations Office on Drugs and Crime (UNODC) presented a [report](#) containing Member States' views on how to strengthen the international legal framework to prevent and combat wildlife trafficking. In its responses, the Government of Canada stated that “*encouraging and fostering greater implementation of UNTOC to prevent and combat the illegal wildlife trade*” should be achieved by “*encouraging countries to align their national legislation on the issue with the UNTOC*”. In addition, Canada mentions that synergies should be found between the UNTOC, the United Nations Convention against Corruption (UNCAC) and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

While we welcome and support the Government's commitment to promoting a better implementation of existing legal instruments with regard to wildlife trafficking, including the UNTOC and the UNCAC, we are convinced that these efforts, alone, will not generate the level of international cooperation that is needed to end this dangerous form of transnational, organized crime.

As highlighted by the presidents of Angola, [Costa Rica](#), [Gabon](#) and [Malawi](#), as well as the [American Bar Association](#) (ABA), the absence of a global agreement fundamentally constrains efforts to effectively

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**WILDLIFE**  
~~CRIME~~

tackle wildlife trafficking. Current international efforts rely on the use of CITES, a 50-year-old trade agreement that does not require States to adopt *criminal* penalties and only covers less than 1% of existing plant and animal species. This leaves countless non-CITES listed species, including [nationally-protected](#) ones, vulnerable to illegal exploitation, with the UNODC recognizing that “*millions of species that are not listed by CITES may be illegally harvested and traded internationally*”. According to authoritative sources, the situation appears to be escalating: in 2022, EUROPOL [reported](#) that, due to growing controls, traffickers are “*increasingly targeting less monitored endemic non-CITES listed species*”. This and other **significant gaps** in the current international framework to prevent and combat wildlife trafficking were **recognized by over half of the Member States that took part in the UNODC consultation**.

In addition to mandating Parties to criminalize wildlife trafficking (and related offenses), a global agreement, taking the form of an additional Protocol to the UNTOC, could finally provide a clear, universally agreed, definition of the term “wildlife trafficking”, helping harmonize national approaches and facilitating coordination and cooperation among States. It would also trigger the use of all of the UNTOC’s provisions on international cooperation, mutual legal assistance, joint investigations and special investigative techniques in tackling wildlife trafficking, overcoming the need for 190 Member States to act unilaterally and treat wildlife trafficking as a “serious crime”.

In its submission to UNODC, the Government of Canada recognized the need for “*increased sharing of information and best practices*”: this too could be addressed in a potential additional Protocol, by creating new cooperation obligations and measures for States in this critically important area of international criminal law. New obligations could also be created to, *inter alia*, discourage demand, ensure proper treatment of confiscated wildlife, revoke visas to offenders, adopt restorative approaches to address the harm to the biosphere and more.

As leading members of Canadian civil society in the field of wildlife conservation and animal protection, as well as subject-matter experts working in the areas of environmental crime and anti-corruption, we strongly support the adoption of a global agreement against wildlife trafficking, as do most Member States that took part in the UNODC consultation. In fact, according to an [assessment](#) requested by the governments of Angola and Gabon, **75% of responding States were either in favour of an additional UNTOC Protocol or open to discussing it**.

We respectfully urge the Government of Canada to support an additional Protocol to the UNTOC to prevent and combat wildlife trafficking.

As such, we kindly request:

- 1) a meeting with the Minister of Environment and Climate Change Canada (ECCC) and appropriate officials (including from other government departments) within the next three months (before November 30, 2023) to better understand how Canada seeks to achieve its recommendation for better implementation of the UNTOC and UNCAC by national governments to tackle wildlife trafficking;
- 2) ECCC to engage counterparts in Global Affairs Canada and the Department of Justice as soon as possible to review Canada’s position on an additional UNTOC Protocol against wildlife trafficking; and

**END**  
**WILDLIFE**  
**CRIME**

- 3) regular updates on Canada’s position and approach to an additional UNTOC Protocol and to addressing IWT more broadly are sent to a contact list of interested stakeholders, including the organizations co-signing this letter, to facilitate information sharing.

Tackling wildlife trafficking is crucial for the sake of our biodiversity, climate, public health and economy, as well as the local communities and indigenous people that rely on the legal and sustainable use of our natural resources. We know that Canada has an important role to play and we look forward to continuing our dialogue with you and meeting over the coming months.

Yours sincerely,



The Global Initiative to End Wildlife Crime



Anti-Corruption and Transparency - legal and policy consulting



The Fur-Bearers



Dawson Strategic - “Unlocking the Power of Policy.”



Elephantatics



Rhino & Elephant Defenders (RED)



Animal Justice



World Animal Protection



World Elephant Day



The Jane Goodall Institute of Canada