

# SECOND SECURITY AND DEVELOPMENT DIALOGUE ON ENVIRONMENTAL CRIME

BUILDING COMMON GROUND AND MOMENTUM  
IN MULTILATERAL DISCUSSIONS

23 JANUARY 2025



GI-TOC



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Global Illicit Flows  
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# INTRODUCTION

Recent discussions among governments, international organizations and civil society have highlighted persistent obstacles to progress in the fight against environmental crime. While environmental crime is increasingly recognized as a serious threat requiring effective criminal justice responses, several challenges continue to hamper decisive action, including polarized geopolitical debates, weak implementation of existing conventions at the national level, and limited coordination between environmental protection and law enforcement agencies.

To discuss the challenges and weaknesses in existing responses to environmental crime and how these can be addressed through the multilateral system, the Global Initiative Against Transnational Organized Crime (GI-TOC) and the Government of France hosted a second security and development dialogue on environmental crime online on 23 January 2025.<sup>1</sup> This event, held under the Chatham House rule, is part of a series designed to provide a unique, multidisciplinary and cross-regional platform for a diverse set of stakeholders to share perspectives and to develop common approaches to address this evolving challenge. Hosted with the financial support of the European Union through the ECO-SOLVE project, the dialogue series aims to align political priorities and innovative thinking with practical action and to strengthen diplomatic engagement on environmental crime within the multilateral system.

Each event is held with a view to informing important upcoming multilateral events. During the second dialogue, participants reviewed the latest multilateral discussions on environmental crime from the second half of 2024, and looked ahead to upcoming international meetings in 2025 and 2026, including the UN Crime Congress in Abu Dhabi in 2026.

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<sup>1</sup> See the report of the first security and development dialogue here: <https://globalinitiative.net/analysis/security-and-development-dialogue-on-environmental-crime>.

# PERSISTENT CHALLENGES AMID PROGRESS

International efforts to combat environmental crime have long been fragmented and frequently ineffective, but recent multilateral discussions have shown some promising signs of progress. An important development was the adoption of Resolution 12/4 by the Conference of the Parties (COP) to the UN Convention against Transnational Organized Crime (UNTOC) in October 2024. Tabled by Brazil, France and Peru, this resolution takes forward a new intergovernmental process to assess the need for additional protocols to the UNTOC to specifically address environmental crime. The resolution garnered support from 49 countries, demonstrating the growing recognition of environmental crimes as serious offences that require dedicated and coordinated global action.

Although this resolution represents a welcome step forward, several challenges were evident throughout the negotiations, in particular the inability of negotiators to agree on a broad and comprehensive understanding of the range of crimes that need to be addressed, and to ensure more effective and holistic responses in the implementation of existing agreements. As the resolution negotiated at the UNTOC COP will be central to multilateral discussions in the coming months and years, participants in the high-level opening session emphasized the importance of learning from recent multilateral conversations and negotiations on environmental crimes, and of maintaining a collective focus on discussions over the next year and a half – for example in preparation for the 15th UN Crime Congress, which will focus on protecting the planet and achieving sustainable development in the context of crime prevention.

Throughout the dialogue, participants acknowledged that civil society involvement is crucial for successful outcomes, not only at the multilateral level, but also in making multilateral agreements more effective at the national and international levels. Any conversations on environmental crime should therefore amplify the voices of communities and environmental defenders working on the front lines. This should form part of the bolder initiatives needed against environmental crime, and enhanced measures to strengthen the rule of law and challenge impunity.

# REVIEW OF RECENT MULTILATERAL DISCUSSIONS ON ENVIRONMENTAL CRIME

The understanding of environmental crime has evolved significantly in recent years, as reflected in a change in the way organized environmental crime is addressed in multilateral forums. From the early 2000s to the late 2010s, the conversation revolved around the illegal trade in flora and fauna, with a focus on a few iconic endangered species, and was mainly addressed through a multilateral environmental agreement aimed at regulating international trade in protected species – namely, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). The discussion now takes into account a wide range of diverse forms of environmental crime, understood not only as illegal trade, but as serious crimes that require a criminal justice response, including the use of instruments of criminal law.

In light of this developing international conversation, the first panel session reflected on recent advances in multilateral discussions on environmental crime, and looked ahead to upcoming diplomatic opportunities for progress, drawing insights from government representatives, international and regional organizations, civil society and academia. The panel considered the complex and sophisticated nature of environment crime, noting, for example, how criminal actors can be connected to the legal economy, and how they leverage corrupt government officials and political elites to facilitate cross-border trafficking of illegally sourced environmental commodities and to launder proceeds. Participants observed that environmental crimes are deeply intertwined with and facilitated by economic crimes, including money laundering, fraud, tax evasion and corruption. Efforts to trace the proceeds of environmental crimes ('follow the money') and to improve asset recovery are therefore vital, and effective cross-border cooperation is also essential to this end.

Despite concerns about the polarization of multilateral discussions and geopolitical constraints on international responses, there are encouraging signs. Environmental crime has gained prominence on the global agenda, as evidenced by its inclusion in both in the latest G77 declaration in September 2024 and the BRICS Kazan Declaration in October 2024. Successes in cross-border law enforcement cooperation demonstrate the potential for broader intergovernmental collaboration, although participants reiterated the need for more research, analysis and serious multilateral engagement.

The next two years hold several opportunities for progress. One such opportunity is the 2025 UN General Assembly (UNGA), which will mark the 10th anniversary since the resolution on illicit wildlife trafficking was introduced by Gabon and Germany. Alongside the core elements on illicit wildlife trafficking, the resolution encompasses broader issues related to environmental crime, including biodiversity, health, gender and youth concerns. Gabon and Germany are now preparing for this resolution to be negotiated in the current session of the UNGA, and speakers emphasized hope for its success in addressing wildlife trafficking, as well as environmental crime

more broadly, and its links to other security challenges and climate change. The resolution also addresses wildlife trafficking through a development-oriented approach and provides an opportunity for new partnerships to be forged between governments and civil society actors. It is hoped that the resolution negotiated this year will include more references to recent actions taken by Vienna-based intergovernmental forums specializing in crime prevention, including the UN Commission on Crime Prevention and Criminal Justice (CCPCJ).

As mentioned above, another notable development is UNTOC Resolution 12/4, which mandates the UN Office on Drugs and Crime (UNDOC) to act as the Secretariat to a newly formed intergovernmental expert group, tasked with identifying gaps in the international legal framework and formulating possible solutions. The first meeting of the intergovernmental expert group is planned to take place from 30 June to 2 July 2025, with a second session scheduled for early 2026, if funding is made available. The chairperson of the expert group has been mandated to submit a summary of deliberations and any consensual recommendations to the COP at its 13th session in October 2026. Similar provisions for reviewing the international response to environmental crime were made in the mandates of previous UNTOC, CCPCJ and UNGA resolutions.

While environmental crime often remains peripheral in the more broad-ranging and politically focused New York discussions, its profile has risen in Vienna-based crime and justice forums in recent years. Recent developments in climate and biodiversity forums including the 16th COP to the Convention on Biodiversity (CBD), held in Cali, Colombia, in 2024. CBD COP16 realized some relevant outcomes for the fight against environmental crime, including the need for co-operation at the multilateral level to address the interplay between biodiversity loss and climate change, liability for damage caused to biodiversity, and measures to support the role of Indigenous peoples in the context of biodiversity conservation strategies and ensure their active participation under the CBD framework and on the ground. The convention also explored different measures on accountability and mechanisms for restoring biodiversity.

However, environmental crime is still not a main focus in discussions and decisions made under the CBD and the UN Framework Convention on Climate Change (UNFCCC). As host of CBD COP16, Colombia put this issue on the agenda, including by proposing a global initiative on transparency and due diligence for the mineral trade, to improve minerals' traceability and accountability. This is vital, as sustainable energy transition will play an important role in reducing the negative impact of mining and in making the mining industry more efficient and respectful of the environment and human rights. At the same time, demand will continue growing to achieve this transition, which is very likely to result in a greater risks of criminal exploitation of the environment.

Speakers also highlighted the critical importance of ensuring that progress achieved at the multilateral or political level is translated into concrete action at operational level, including by giving international organizations the means to help coordinate efforts on a global scale. In this regard, several new initiatives are underway, including a project launched in January 2025 by the German Federal Environment Ministry, the World Wide Fund for Nature and INTERPOL addressing transboundary environmental crime across multiple sectors, including fisheries crime, forestry crime, illegal mining, pollution crime and wildlife crime.

## Understanding and addressing existing disagreements

Despite the existence of international legal instruments such as the UNTOC, the UN Convention against Corruption (UNCAC) and various multilateral environmental agreements, many countries lack the requisite political commitment to make better use of these instruments. A fundamental challenge lies in breaking down institutional silos and addressing environmental crimes as part of interconnected criminal enterprises. An obvious next step would be for the international community to develop a new international legal instrument to more effectively prevent and combat environmental crimes, but there is not yet an overwhelming consensus on the need for a new instrument, and even among those in favour of a new instrument, visions of what it should look like vary.

The Amazon region exemplifies the urgency of these challenges. Environmental crime in the region goes beyond ecological devastation to threaten economic stability and social cohesion. Participants noted that in countries across the region, environmental crimes generate illicit profits and cause major damage to biodiversity, wildlife, and human health and development. In this context, speakers emphasized the need to increase efforts to reach agreements in multilateral settings, strengthen international cooperation and technical assistance, and address the impunity of perpetrators and the issue of liability, noting that accountability takes many forms – in legal terms and through pressure in the multilateral system. The role of Indigenous peoples in conserving biodiversity and combating environmental crime is increasingly recognized, as they and other vulnerable communities are the most affected by these crimes.

The negotiation of the UNTOC COP Resolution 12/4 illustrates the complexities involved in improving the international response to environmental crime. The process was complicated by geopolitical tensions and divergent national interests, reflecting different domestic legal frameworks and distinct environmental challenges. The final text omitted several critical elements, including concrete measures to be taken by UNTOC Parties to ensure a meaningful and efficient response to environmental crime, protection of environmental defenders, gender mainstreaming in responses, and formal recognition of the work of civil society in preventing and combating these crimes. Nevertheless, the widespread support for the resolution's objectives and the need for further action, as well as for a common understanding of environmental crimes as serious crimes to be addressed under the UNTOC, demonstrates greater recognition of environmental crimes as serious offences that warrant a coordinated international response. The main challenge now is to translate this diplomatic consensus into effective operational measures.

## Multilateral advances expected in 2025

The diplomatic community in Vienna is entering a new phase with the upcoming meetings of the intergovernmental expert group, where states will engage in more detailed discussions on the possible addition of a new UNTOC protocol and more broadly assess the effectiveness of existing multilateral instruments for addressing environmental crime. This new intergovernmental process will be the main focal point for the international community to take forward discussions on how to better combat environmental crime, given its mandate to consider a potential new protocol to the UNTOC.



In this context, civil society, including communities on the front lines of environmental crime, must be allowed to have more meaningful input into expert group discussions and other important upcoming meetings, including the IUCN World Conservation Congress in October 2025 and the UN Crime Congress in April 2026. These meetings are recognized as significant opportunities for progress and for civil society to engage and provide inputs that could help ensure that diplomatic decisions are aligned with the realities and challenges faced on the ground.

Looking ahead, participants agreed that the fight against environmental crime requires several important elements: stronger cooperation under existing multilateral agreements, effective cross-border collaboration, better intelligence sharing and new partnerships between governments and civil society. Advances will depend on expanded research, information sharing and analysis from both civil society and international organizations.

Multilateral discussions on the intersection between biodiversity loss and climate change, and the synergies between efforts to address them, could provide another avenue for the international community to address environmental crime. Environmental crimes are cross-cutting drivers of biodiversity loss, climate change and pollution, and impede the achievement of sustainable development goals and a fair energy transition that takes into account the needs of vulnerable groups. The UNFCCC COP30 in Belém could be a pivotal step in this direction, alongside other upcoming multilateral environmental meetings such as the IUCN World Conservation Congress and the UN Ocean Conference.

Participants outlined several priorities for upcoming key multilateral events and negotiations:

- Identifying and addressing gaps in current multilateral responses to environmental crime.
- Examining the human rights implications of environmental crime, particularly for Indigenous peoples and other vulnerable communities.
- Aligning with environmental, climate and sustainable development goals and targets, including by addressing illegal mining and mineral traceability in the context of clean energy transitions, and by addressing environmental crime in the implementation mechanism of the Kunming-Montreal Global Biodiversity Framework.
- Evaluating the effectiveness of the current international legal framework, building on previous work by the UNODC and others, in order to better understand and facilitate the implementation of the UNTOC and UNCAC, and to contribute to the harmonization of UNTOC implementation against environmental crime at the national level.
- Assessing the feasibility, objectives, and shape of a potential new international legal instrument under the UNTOC.
- Breaking down barriers between different forums, including the UNTOC and UNCAC COPs, to ensure that corruption is more effectively addressed as an enabler of environmental crime and to aid coordinated implementation of instruments for a more effective global response.

# MULTILATERAL BLIND SPOTS: UNDER-EXPLORED AREAS OF ENVIRONMENTAL CRIME

While wildlife trafficking and forestry crimes have received increased attention in recent years, several important categories of environmental crime remain under-addressed or even overlooked in multilateral forums. Three areas that require particularly urgent attention from the international community are crimes affecting the marine environment, pollution crimes and extractive crimes. These are consistently neglected in resolutions, despite their severe environmental impact and clear links to organized crime networks.

## Crimes that affect the marine environment

Illegal, unreported and unregulated (IUU) fishing is repeatedly missing from UN resolutions, despite being one of the most geographically widespread forms of wildlife crime and having a serious impact on biodiversity, climate, food security and local livelihoods. Participants underscored that it continues to not be perceived as a crime and, when it is, there is often disagreement about how it should be categorized. Some speakers argued that illegal fishing should be addressed as an extractive form of environmental crime, similar to illegal logging and illegal mining. Others suggested that, although it is not explicitly mentioned in the UNGA resolution on wildlife trafficking, illegal fishing should be treated as a form of wildlife trafficking, with conservation of marine species given the same level of priority as terrestrial species.

The lack of a universal legal definition for illegal fishing has hampered international efforts to combat it. Neither UN resolutions on environmental crime nor the Kyoto Declaration of the previous UN Crime Congress mention illegal fishing explicitly, which has resulted in limited follow up and focus by states on this issue, as well as a lack of concerted efforts and harmonized legal frameworks at the international level.

Speakers noted that it is essential to move beyond tackling illegal fishing merely from fisheries management and development perspectives and instead address it as a criminal justice issue, including by recognizing it as a serious form of transitional organized crime. The entrenched connection between illegal fishing and other forms of organized crime, including human trafficking, migrant smuggling, forced labour and money laundering, underscore the need for this shift in approach.

Concerningly, the target to end IUU fishing contained in the 2030 Agenda for Sustainable Development is likely to be missed unless states adopt and implement stronger deterrent measures, including legal sanctions that consider both unlawful behaviour and environmental damage. Indonesia's application of the principle of *malum in se* (an act that is inherently immoral, regardless of whether it is criminalized) to combat illegal fishing offers one promising approach.<sup>2</sup>

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<sup>2</sup> In criminal law, *malum in se* (wrong in itself) is distinguished from *malum prohibitum* (wrong by prohibition), which denotes an act that is illegal but not necessarily immoral.

While existing frameworks such as the UN Convention on the Law of the Sea, the Biodiversity Beyond National Jurisdiction treaty, the CBD and the Nagoya Protocol provide useful tools for taking action against illegal fishing, including through the establishment of marine protected areas, they must be complemented by criminal law tools. Discussions in the context of the UNTOC, including on its implementation and the possibility of any new additional protocol on crimes that affect the environment, should also take into account illegal fishing.

The upcoming UN Ocean Conference in Nice, France, in June 2025 presents a crucial opportunity to address illegal fishing and other crimes that affect the marine environment, such as waste and pollution-related crimes, and recognize them as serious crimes, with the potential to increase awareness and build political momentum ahead of other important multilateral processes.

## **Pollution crimes**

Despite generating billions in illicit profits and causing significant and irreversible damage to the environment and human health, pollution crime – including waste trafficking – remains an afterthought in multilateral discussions on environmental crime. Although the 2021 Kyoto Declaration addressed illicit trafficking in hazardous and other wastes, it overlooked illegal pollution in general, including marine pollution, trafficking in pollutants (such as mercury and cyanide) and carbon market fraud. Moreover, marine pollution is usually not addressed in multilateral meetings on ocean protection and marine biodiversity conservation, and when it is addressed in resolutions, it is not viewed through the lens of organized crime.

Most pollution crimes can be categorized as transnational organized crime, interlinked with other offences such as bribery, fraud, money laundering and tax evasion, and generating significant inter-regional flows. As with other forms of organized crime, perpetrators exploit legal loopholes and weak law enforcement to generate substantial illicit proceeds. The involvement of legitimate companies in these activities complicates enforcement responses while at the same time creating unfair competition for law-abiding businesses.

Laws and regulations against pollution and waste crimes are sometimes drafted in ways that are difficult to enforce, resulting in a lack of accountability. Owing to the absence of political and multilateral attention to pollution crimes, there is a clear lack of capacity and resources at the operational level. Law enforcement and criminal justice actors therefore need to be included in multilateral discussions on environmental crimes and be equipped with the necessary powers, tools and resources to implement effective measures to prevent and combat them.

## **Extractive environmental crimes**

Shortcomings in targeting environmental crimes related to the extractives sector have notable security implications, in addition to health, human rights and environmental ones. While the Kyoto Declaration explicitly addressed trafficking in wildlife, timber and minerals, it failed to mention extractive forms of environmental crime, such as illegal logging, water abstraction and mining.

Illegal mining exemplifies these challenges, as both an extractive crime and a pollution crime. It has clear links to other forms of organized crime, undermines legal economies, and has

a detrimental impact on nearby communities by affecting their livelihoods, health, water resources and habitats. Illegal mining also has broader effects on political stability: in West and Central Africa, for example, illegal mining drains the resources of local economies, fuels conflicts and is a source of financing for violent extremist groups. The lack of attention to illegal mining in multilateral forums undermines efforts made to achieve sustainable development goals and weakens global commitment to sustainable development.

Participants recommended that the next UN Crime Congress declaration expand the list of crimes that affect the environment to include illegal mining, logging and water abstraction, in order to ensure a more holistic approach to combating organized crime and promoting sustainable development. Measures to address crimes that affect the environment should include effective due diligence in extractive industries and incentivize responsible business practices, and cross-border cooperation should be enhanced, for instance through the application of the UNTOC.

Given the links between illegal logging and mining and carbon emissions, as well as the criminal exploitation of climate and energy transition financing, extractive environmental crimes should also be more systematically included in international negotiations in both environmental and crime-related forums, including under the UNFCCC and the Paris Agreement at COP30 in Belém, Brazil, in November 2025.

## **Corruption and illicit finance**

Effective enforcement against environmental crime requires robust financial investigation and intelligence sharing. To target criminal networks and their assets, environmental crimes must be criminalized as serious crimes and predicate offences within national legislations. Speakers underlined the strategic importance of going after illegal enterprises and the enablers of the crime, as a way of targeting those higher up the criminal ecosystem. Freezing or confiscating criminal assets, for example through non-conviction-based forfeiture, can often have a greater impact on disrupting criminal networks than imprisonment.

As a critical element in facilitating and perpetuating environmental crime, corruption requires a structured approach to prevention measures, particularly in extractive industries, waste management, and climate and biodiversity financing. Anti-corruption measures – such as corruption risk assessments, transparency and conflict of interest measures, and controls within environmental authorities and licencing authorities – should be designed and implemented systematically. The recent surge in climate and biodiversity funding has created new vulnerabilities, as governments and financial institutions rush to deploy capital without adequate safeguards, including measures to ensure good governance, mitigate the risks of corruption and financial fraud, and put controls in place, which may result in such financing failing to achieve its intended objectives.

While UNCAC Resolution 8/12 was the first UN resolution specifically addressing corruption in the context of environmental crime, it remains clear that more work needs to be done to turn the words of the resolution into action in national systems. An example of best practice is the Countering Environmental Corruption Practitioners Forum, which brings together committed individuals in the legal sector who want to contribute to the fight against environmental crime and who are working hard to improve the implementation and effectiveness of the available legal procedures. It was noted that deeper engagement with legitimate private sector actors could further strengthen these efforts.

# CONCLUSION

While international bodies debate definitions and jurisdictions, criminal networks continue to exploit weak judicial responses and leverage corruption to devastate vulnerable ecosystems, threaten communities and generate substantial illicit profits. This growing crisis calls for more meaningful multilateral action.

Following recent multilateral engagements, including the first dialogue in this series in July 2024, participants approached this latest discussion with a shared understanding of the pressing need to upgrade international responses to environmental crime, while recognizing the challenges inherent in negotiations on this topic and in multilateral settings more generally.

This second dialogue reinforced the sense of urgency that environmental crimes demand from the international community. Participants agreed on the need to improve and strengthen collective action and coordination. They identified key advances that need to be made over the next 18 months to close existing gaps in the international community's understanding of the problem, while enhancing solutions and harmonizing interventions at the global level.

Achieving these goals will require strengthening international mobilization and breaking down existing silos between different parts of the multilateral system, different parts of governments, and between regions and sectors, to ensure a comprehensive response to the complex challenges posed by environmental crime. Governments, civil society, NGOs, academia and the private sector should work together to develop relevant and effective multilateral decisions, and ensure their successful implementation at national and international levels.

In upcoming international negotiations and meetings, innovative and constructive solutions will need to be explored to engage civil society, especially communities on the front lines of environmental crime. Other important stakeholders – for example in academia and the private sector – who have a critical role to play in designing, implementing and supporting strategies against environmental crime, should also be involved. Diverse stakeholders can share their expertise with negotiators, complementing the perspectives of law enforcement, criminal justice and environmental experts, and international organizations.

A follow-up dialogue will be held in Paris in April 2025, providing an opportunity to build bridges between states in this critical discussion ahead of upcoming intergovernmental meetings. By drawing on the expertise of civil society, academia, and law enforcement, criminal justice and environmental practitioners, the next dialogue aims to build a clearer common understanding of what responses should be developed and how they should be shaped. The ongoing series offers a robust, diverse platform to advance these discussions and work towards building international consensus on addressing the multifaceted threat of environmental crime.



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