EUROPEAN
COMMISSION

Brussels, 9.11.2022
SWD(2022) 354 final

COMMISSION STAFF WORKING DOCUMENT

EVALUATION

of the EU action plan against wildlife trafficking

Accompanying the document

COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS

Revision of the EU action plan against wildlife trafficking

{COM(2022) 581 final} - {SWD(2022) 355 final}

Table of contents

1 INTRODUCTION 4

1.1 Purpose and scope of the evaluation/fitness check 4

2 WHAT WAS THE EXPECTED OUTCOME OF THE INTERVENTION? 4

2.1 Description of the intervention and its objectives 4

2.1.1 Impacts of the illegal wildlife trade 4

2.1.2 EU and global policy on the illegal wildlife trade leading up to 2016 6

2.1.3 Challenges identified 8

2.1.4 The 2016 EU action plan against wildlife trafficking 11

2.2 Point(s) of comparison 12

3 HOW HAS THE SITUATION EVOLVED OVER THE EVALUATION PERIOD? 14

3.1 The state of the illegal wildlife trade in the EU 14

3.2 Implementation of the action plan by priority 16

3.2.1 Priority 1 – Preventing wildlife trafficking and addressing its root causes 16

3.2.2 Priority 2 – Making implementation and enforcement of existing rules and the fight against organised wildlife crime more effective 17

3.2.3 Priority 3 – Strengthening the global partnership of source, consumer, and transit countries against wildlife trafficking 19

4 EVALUATION FINDINGS 21

4.1 To what extent was the intervention successful and why? 21

4.1.1 Effectiveness 21

4.1.2 Efficiency 26

4.1.3 Coherence 29

4.2 How did the EU intervention make a difference? 33

4.2.1 What is the European added value of the action plan, compared to what could have been achieved in its absence by Member States at national and/or regional levels, and by international organisations globally? 33

4.2.2 To what extent does the Plan comply with the principles of subsidiarity and proportionality? What has been the role of – and impact on – local and regional authorities? 34

4.3 Is the intervention still relevant? 35

4.3.1 To what extent is the action plan still relevant and to what extent do its (original) objectives still correspond to the needs within the EU? 35

4.3.2 How flexible has the Plan been in responding to new issues? 36

5 WHAT ARE THE CONCLUSIONS AND LESSONS LEARNED? 38

5.1 Conclusions 38

5.2 Lessons learned 38

ANNEX I: PROCEDURAL INFORMATION 40

ANNEX II: METHODOLOGY AND ANALYTICAL MODELS USED 41

ANNEX III: EVALUATION MATRIX AND, WHERE RELEVANT, DETAILS ON ANSWERS TO THE EVALUATION QUESTIONS (BY CRITERION) 45

ANNEX IV: OVERVIEW OF BENEFITS AND COSTS [AND, WHERE RELEVANT, TABLE ON SIMPLIFICATION AND BURDEN REDUCTION] 74

ANNEX V: STAKEHOLDER CONSULTATION - SYNOPSIS REPORT 75

ANNEX VI: OVERVIEW OF PROGRESS IN IMPLEMENTATION OF THE ACTION PLAN, BY ACTION 87

Glossary

Term or acronym	Meaning or definition
CBD	Convention on Biological Diversity
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
EG	EU Wildlife Trade Enforcement Group
EMPACT	European Multidisciplinary Platform Against Criminal Threats
EU	European Union
FLEGT	Forest law enforcement, governance and trade
IPBES	Intergovernmental Platform on Biodiversity and Ecosystem Services
ICCWC	International Consortium on Combating Wildlife Crime
SRG	Scientific Review Group
UNGA	United Nations General Assembly
UNTOC	UN Convention on Transnational Organized Crime

1 1 INTRODUCTION

1.1 1.1 PURPOSE AND SCOPE OF THE EVALUATION/FITNESS CHECK

The EU action plan against wildlife trafficking ('action plan') was adopted in 2016, for the period 2016 to 2020. The Commission undertook an initial review of implementation of the action plan in 2018[1]. The Commission then carried out a more extensive evaluation of the action plan in the course of 2021-2022. Both these studies feed into to the current exercise.

The current evaluation covers action to combat the illegal wildlife trade undertaken by the European Union and its Member States since the adoption of the action plan. The evaluation seeks to assess the action plan by evaluating its effectiveness, efficiency, relevance, coherence, and EU added value.

Due to its illegal nature, data on the illegal wildlife trade is not widely available. Any data that are available are not robust or complete. There is therefore a notable absence of a baseline against which to compare current action against wildlife trafficking. Moreover, the action plan is very broad and ambitious by its very design, encompassing a wide variety of actors and actions, and including objectives that are difficult to measure. Therefore assessing its achievements is challenging – especially due to the lack of a monitoring and evaluation framework. In addition, the action plan was adopted in the context of existing EU and Member State action against wildlife trafficking, seeking to raise ambitions and coordinate and equalise existing efforts within the EU. Where new actions have been undertaken, it is difficult to prove that they would not have occurred without the action plan.

Taking these limitations into account, this evaluation draws on the implementation report, literature reviews, and a series of stakeholder consultations undertaken in 2021-2022. More detail on the findings of the evaluation can be found in the support study[2].

2 2 WHAT WAS THE EXPECTED OUTCOME OF THE INTERVENTION?

2.1 2.1 DESCRIPTION OF THE INTERVENTION AND ITS OBJECTIVES

2.1.1 2.1.1 IMPACTS OF THE ILLEGAL WILDLIFE TRADE

A report presented by the United Nations Environment Programme (UNEP) at the 2nd United Nations Environment Assembly in 2016 outlined the environmental impacts of illegal trade in wildlife[3]. The primary impact noted in the report was the drastic reduction of wild populations of the species being illegally traded, which, exacerbated by habitat reduction and other stressors, can threaten the long-term survival of species. The report notes that poaching was identified as the primary driver of these extinctions, which led to extinction of the black rhinoceros in 2011.

---

1 Report from the Commission to the Council and the European Parliament, *Progress report on the implementation of the EU Action Plan against Wildlife Trafficking*, COM/2018/711.

2 European Commission, Directorate-General for Environment, *Study to support the Evaluation and Revision of the EU Action Plan against Wildlife Trafficking*, Publications Office, 2022.

3 UNEP/EA.2/INF/28.

The illegal wildlife trade can also have impacts beyond target species, as many hunting or harvesting methods can have detrimental impacts on populations of non-target species. In addition, the loss of wild fauna and flora linked to wildlife trafficking can change the patterns of entire ecosystems. For example, forest elephants are key seed dispersers, so if their numbers decline through poaching, forest regeneration is affected[4]. The illegal trade in live animals and plants also bypasses sanitary, veterinary and health checks and raises the risk of spreading diseases and invasive species. This can have unexpected detrimental consequences for other species. The illegal wildlife trade and poaching also drives biodiversity loss within the EU, especially of high-value species that are already under significant pressure from habitat loss and overexploitation, such as certain species of birds, bears, and the European eel.

Wildlife trafficking also has significant economic impacts. Firstly, it undermines the legal trade in wildlife. This legal trade is particularly important in regions and communities living close to nature. In these areas, sustainable use[5] of local wildlife can: (i) generate economic benefits; (ii) create green jobs; (iii) reduce human-wildlife conflict; and (iv) foster a sense of ownership of local nature and biodiversity.

Not only does wildlife trafficking affect the legal wildlife trade, but it can also impact other wildlife-based economies. In 2013, the World Bank estimated that tourism accounted for 2.8% of the GDP of sub-Saharan African countries. In certain biodiversity-rich countries such as Zimbabwe, Tanzania and Namibia, tourism was estimated in 2013 to account for more than 8% of GDP[6]. In these countries, the loss of biodiversity and destruction of wildlife translate directly into economic losses.

The illegal wildlife trade also has strong links with security. The low-risk/high-reward nature of wildlife trafficking creates a vicious cycle: the proceeds of wildlife crime are used to fund illicit activities, enable corruption, and weaken the rule of law. In turn, wildlife trafficking is enabled by increasingly empowered and complex criminal networks[7]. Wildlife crime and security issues intersect in many ways. For example: (i) armed conflict is financially sustained through poaching and trafficking; (ii) the availability of weapons increases poaching activity and weakens enforcement; (iii) forced migration, particularly of pastoralist communities, can drive populations closer to wildlife, leading to potential human-wildlife conflict; and (iv) economic instability can deprive local populations of legitimate income, forcing them to resort to poaching or illegal trade in wildlife[8].

---

4 Abernethy KA, Coad L, Taylor G, Lee ME, 'Maisels F, Extent and ecological consequences of hunting in Central African rainforests in the twenty-first century'. *Phil Trans R Soc B* 368: 20130494, 2013.

5 'Sustainable use' is defined by the Convention on Biological Diversity since 1992 as 'the use of components of biological diversity in a way and at a rate that does not lead to the long-term decline of biological diversity, thereby maintaining its potential to meet the needs and aspirations of present and future generations'.

6 Tourism in Africa: Harnessing tourism for growth and improved livelihoods. The World Bank, 2013.

7 European Commission, Directorate-General for International Cooperation and Development, *Study on the interaction between security and wildlife conservation in Sub-Saharan Africa Part* I, Publications Office, 2020.

8 *Ibid*.

2.1.2 2.1.2 EU AND GLOBAL POLICY ON THE ILLEGAL WILDLIFE TRADE LEADING UP TO 2016

Trade in wildlife is regulated at international level through the Convention on International Trade in Endangered Species (CITES Convention)[9], a major international agreement that has been in force since 1975. The main added value of the Convention is the global protection it gives to animal and plant species through regulation of their international trade. The inclusion of a species in the CITES Appendices is often a very important step in raising public awareness of the fact that it is – or might become – endangered because of international trade. This can play an important role in reducing supply and demand for the species and keeping trade at sustainable levels. A CITES listing also creates an obligation for governments to control trade in the relevant products and seize them if they are traded in contravention of CITES provisions. In addition, with the level of global policy concern about the illicit wildlife trade arguably stronger now than at any time since the Convention entered into force, there is a strong focus on wildlife trafficking in the work of the CITES bodies. This focus can be seen in the adoption by the CITES Conference of Parties and by the CITES Standing Committee of targeted recommendations designed to address specific shortcomings in the implementation of the CITES Convention. The CITES Standing Committee is tasked with monitoring how these recommendations are implemented by the CITES parties and is empowered to adopt compliance measures, such as prohibiting trade in all CITES-listed products if there is a serious failure by a party to comply with its obligations. The EU has been an active member of CITES since 2015.

Wildlife trade has been regulated at EU level since 1983. The main legal instruments for this are Council Regulation (EC) No 338/97[10], which incorporates CITES provisions into EU law, and the Commission Regulations implementing this Council Regulation. These 'EU Wildlife Trade Regulations' go beyond CITES in many respects, in particular by: (i) regulating trade in a number of species that are not listed under CITES; (ii) imposing stricter import controls for some species; and (iii) empowering the EU to suspend imports of species from exporting countries. Implementation of the EU Wildlife Trade Regulations is regularly monitored by the Commission in close cooperation with Member States. It is assessed through meetings with Member States (around 10 per year) which focus on the scientific, management and enforcement aspects of the legislation and on the implementation of the action plan (and previously of Commission Recommendation No 2007/425/EC, which identified a set of actions for the enforcement of Regulation (EC) No 338/97 on the protection of species of wild fauna and flora and was replaced by the 2016 action plan). Member States report every year to the Commission on seizures of – and trade in – specimens covered by Council Regulation (EC) No 338/97. The Commission analyses these data, partly with a view to detecting trade authorised in contravention of EU law. Member States also submit comprehensive implementation reports every 3 years on measures taken to fulfil their obligations under EU wildlife trade law and CITES[11].

---

9 See: Convention on International Trade in Endangered Species of Wild Fauna and Flora – CITES.

10 Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein.

11 Before the 2015-2017 reporting period, parties to CITES (including the EU Member States) were required to submit CITES reports every two years. A new format for the CITES Implementation Report was adopted at the 66th meeting of the CITES Standing Committee (SC66) which also saw the adoption of a reporting

The EU and all its Member States are parties to the UN Convention against Transnational Organized Crime (UNTOC)[12], which defines 'serious crime' as 'conduct constituting an offence punishable by a maximum deprivation of liberty of at least four years (…)' (Article 2(b)). In various high-level fora, before 2016, the EU and its Member States addressed the problem of illegal wildlife trade by making 'illicit trafficking in protected species of wild fauna and flora involving organised criminal groups a serious crime, in accordance with their national legislation and Article 2(b) of [UNTOC]'[13]. Under UNTOC, mutual legal assistance in investigations, prosecutions, and judicial proceedings, which may be essential for successful investigation and prosecution, can be requested for serious crimes.

In February 2014, the Government of the United Kingdom convened the London Conference on the illegal wildlife trade, which was attended by heads of state, ministers, and high-level representatives from the EU and 46 countries, including those countries most heavily impacted by poaching and illegal trade in wildlife. In a declaration, the conference participants undertook to take 'decisive and urgent action' to tackle the global illegal trade in wildlife. At a follow-up conference in Botswana a year later, participants adopted the Kasane Statement[14], reaffirming their determination to: (i) scale up their response to the global poaching crisis; (ii) adopt crucial new measures to tackle money laundering and other financial aspects of wildlife crime; (iii) engage relevant rural community groups; and (iv) engage further with the private sector, including logistics and transport companies.

A major step forward in the strengthening of enforcement efforts worldwide was the creation in 2011 of the International Consortium on Combating Wildlife Crime[15] (ICCWC). The ICCWC consists of the CITES Secretariat, Interpol, the United Nations Office on Drugs and Crime, the World Bank, and the World Customs Organization. The ICCWC pools the expertise of five international organisations on the basis that, by aligning their efforts, they could provide a catalyst for greatly improved global cooperation and capacity to combat wildlife and forest crimes. The key aims of the ICCWC include: (i) long-term capacity-building (i.e. adding and training staff to work in this area, including by promoting the use of modern investigative techniques, such as deoxyribonucleic acid or DNA analysis); and (ii) improving the international exchange of information and intelligence, and thus the coordination of enforcement efforts. The ICCWC has also provided support at the request of countries in specific emergency situations. The Commission is one of the main donors to the ICCWC.

---

format that saw reports published every 3 years. See: Implementation Reports (formerly CITES Biennial Report) for EU Member States; https://cites.org/eng/resources/reports/Implementation_report.

12 See: United Nations Convention against Transnational Organized Crime (unodc.org)

13 UNGA Resolution 69/314.

14 See: Kasane Statement on the Illegal Wildlife Trade (publishing.service.gov.uk)

15 See: The International Consortium on Combating Wildlife Crime | CITES

2.1.3 2.1.3 CHALLENGES IDENTIFIED[16]

The bulleted paragraphs in this section set out some of the challenges to implementing and enforcing rules to prevent the illegal trade in wildlife when the action plan was developed. The section is split in two: (i) challenges in enforcing existing rules in the EU; and (ii) challenges in supporting efforts to fight wildlife trafficking globally.

(i) Challenges to implementation and enforcement of existing rules in the EU

- Uneven levels of implementation and enforcement throughout the EU

One of the primary challenges that the 2016 action plan sought to address was the uneven implementation and enforcement of the rules governing trade in wildlife throughout the EU. In 2012, seizures of illegally traded wildlife specimens in three Member States accounted for 59% of total seizures. In comparison, the 18 Member States with the fewest number of seizures reported less than 6% of EU-wide seizures for the year.

In addition, the severity of sanctions imposed on perpetrators of the illegal wildlife trade varied widely across the EU. In 2013-2014, the highest fine (EUR 250 000) was reportedly imposed for two cases of illegal collection of – and trade in – birds and bird eggs. In four Member States, however, the highest fines were less than EUR 1 000. Notably, one of these Member States issued the most CITES documents in 2013-2014, suggesting that the low sanctions are not related to the absence of trade in wildlife.

- Awareness and prioritisation

Responses to the 2014 Commission stakeholder consultation highlighted the problem of low awareness of – and low priority given to – wildlife trafficking. The low priority given to wildlife trafficking is reflected in the shortage of staff and technical resources at national level. CITES management authorities are often understaffed; 61% of Member States reported fewer than 10 staff members spending anything between 10% and 100% of their time on CITES issues. The need for a larger budget and workforce has been consistently emphasised since 2009. Some Member States, including Croatia, Ireland, and Malta, specifically stated that the shortage of such resources makes it difficult to implement CITES.

- Capacity throughout the enforcement chain

In 2013-2014, only 19 Member States had set up national specialised units for CITES-related enforcement. There is vast inconsistency in resource provision across Member States in: (i) specialised environmental and law-enforcement units; (ii) judicial police, (iii) environmental protection agencies; and (iv) specially appointed officers. According to the Commission's 2013-2014 analysis of Member State seizure and trade reports, only 7 Member States had adopted national action plans for coordination and enforcement, and only 2 of these implemented long-term action plans (over 4 or more years). On the more positive side, 23 Member States both: (i) carried out regular in-country trader checks and risk and intelligence assessments; and (ii) cooperated with enforcement agencies in other Member States to investigate offences. However, between 2011-2012 and 2013-2014, 12 Member States

[16] Commission Staff Working Document, *Analysis and Evidence in support of the EU Action Plan against Wildlife Trafficking*, 2016.

reported no detailed information on significant cases of illegal trade or information on convicted illegal traders and persistent offences.

- Coordination within Member States

The Commission found room for improvement in communication and information-sharing between Member State authorities within the same Member State. For example, enforcement authorities should pass on to their management authorities information on any discrepancies between the number of items in a permit and the number of items actually traded. This is to ensure that management authorities can accurately monitor and report on actual levels of trade. However, in the analysis of the 2013-2014 reports, only 50% of Member State enforcement authorities reported that such information had been exchanged. Questions therefore arise as to how these Member States can report accurately on levels of trade. From the 2013-2014 biennial reports, only nine Member States appear to have set up a national inter-agency or inter-sectoral committee on CITES.

- Capacity to fight organised wildlife crime

The level of knowledge about the activity of organised criminal groups in the EU active in wildlife trafficking was low among experts on organised crime, related illicit financial flows, and related illegal online activities. Due to this lack of awareness, limited financial, staff, and specialist resources were allocated to regulating the wildlife trade, despite its complex and organised nature. This also led to challenges in prosecuting and sanctioning environmental crimes.

- Enforcement cooperation among Member States

Although Member States met regularly through the CITES Enforcement Group and exchanged practical experience on enforcing EU legislation on the wildlife trade (e.g. via EU-TWIX), there was limited cooperation on specific cases and limited involvement of relevant EU coordination bodies such as Europol and Eurojust. According to the analysis of the 2013-2014 biennial reports, 11 Member States that reported that they had been involved in administrative measures, criminal prosecutions and other court actions provided no further details. Several Member States provided no information at all on enforcement cooperation.

- Enforcement cooperation with non-EU countries

Several cases illustrated the challenges in cooperating with non-EU countries on investigations of wildlife trafficking cases. These challenges included checking the legality of export permits, tracking the source of wildlife products, and investigating financial flows. Although some steps were taken to improve international cooperation – for example Operation COBRA III in 2015 – the Commission identified this as an area that needed strengthening.

(ii) Challenges in the fight against wildlife trafficking globally

- Scale of EU support provided to developing countries

In the 30 years prior to 2016, the EU committed over EUR 500 million for biodiversity conservation in Africa. The EU also supported a number of national and local projects working on natural-resource management, the rule of law, and governance. Although these

initiatives brought some progress, the synergies between conservation, livelihoods of local populations, enforcement, and good governance were not always sufficiently exploited. In addition, the long-term sustainability of a number of projects remained fragile due to insufficient support by – and an insufficient sense of 'ownership' among – the national and local authorities (and sometimes among local populations). This fragility was exacerbated by a high dependence on external funding.

- Donor coordination

EU support to developing countries often comes in addition to funding by Member States, non-EU countries, development banks and financial institutions. Close cooperation between donors and supported countries is critical to maximise impact, avoid overlap and ensure that the allocation of funds meets the needs and priorities identified by the countries themselves.

- Demand reduction

Despite ongoing efforts to fight the illegal wildlife trade, by 2016, demand for unsustainably sourced wildlife products had been rising significantly for a decade[17]. This growth in demand was accompanied by dramatic shifts in consumer dynamics. Among several examples of priorities, a need was identified for effective awareness-raising techniques leading to changes in consumer behaviour.

- Anti-corruption tools

At its first session on 27 June 2014, the UN Environment Assembly adopted a resolution on illegal trade in wildlife. The resolution called on governments to 'promote and implement policies of zero tolerance towards all illegal activities, including corruption associated with the illegal trade in wildlife'. In July 2015, the United Nations General Assembly (UNGA) Resolution on tackling illicit trafficking in wildlife called on member states to 'prohibit, prevent, and counter any form of corruption that facilitates illicit trafficking in wildlife and wildlife products'. In practice, however, anti-corruption strategies in EU programmes of development support often did not include wildlife trafficking as a focus area.

- Diplomatic tools for more effective cooperation with relevant source, transit and market countries/regions

Respondents to the Commission's 2014 stakeholder consultation called for the EU to address wildlife trafficking more through its diplomatic contacts, including in high-level political dialogues with key countries such as China. They also called for a greater role for EU delegations and Member States' diplomatic missions in addressing wildlife trafficking. Stakeholders were of the view that, given the vast diplomatic network of the EU, there was a need to channel available resources to ensure a comprehensive response to poaching and illegal wildlife trafficking.

- Using EU trade policy to support the fight against wildlife trafficking

EU trade policy supports and promotes environmental objectives such as wildlife protection and combating wildlife trafficking. This is reflected in the EU's international trade

[17] UNODC, *World Wildlife Crime Report 2020*: Trafficking in Protected Species, 2020.

agreements. When negotiating these agreements, the Commission seeks to include substantial environmental provisions on trade in a specific chapter on trade and sustainable development. In January 2016, in a report on the generalised scheme of preference arrangements, the Commission highlighted shortcomings in some countries' implementation of the CITES Convention (in particular, national legislation failing to ensure full implementation, insufficient reporting, and other specific issues), stressing that these should be addressed as a matter of priority[18].

2.1.4 2.1.4 THE 2016 EU ACTION PLAN AGAINST WILDLIFE TRAFFICKING

Recognising the role of the EU as an important end market, transit region, and source region, the 2016 action plan sought to scale up and better coordinate EU and Member State action against wildlife trafficking.

The 2016 action plan had three priorities, each of which contained several objectives. These three priorities are discussed in the paragraphs below. For a more detailed diagram of the intervention logic, please see Annex II. For a list of actions under each objective, please see Annex VI.

(1) Preventing wildlife trafficking and tackling its root causes

The first objective under this priority aimed to **reduce the demand for – and supply of – illegal wildlife products** through actions ranging from awareness raising to strengthening restrictions on the ivory trade.

The second objective under this priority was to **engage rural communities in source countries** to promote community management of conservation and support the development of alternative, sustainable livelihoods for communities living in – and adjacent to – wildlife habitats.

The third objective aimed to increase the involvement of the **private sector**, noting a need to engage with key economic sectors that facilitated trade in wildlife.

Finally, the final objective identified the importance of tackling **corruption** associated with wildlife trafficking.

(2) More effective implementation and enforcement of existing rules and the fight against organised wildlife crime

The first objective under this priority addressed the **uneven implementation** and enforcement of legislation to prevent the illegal wildlife trade throughout the EU, including through identifying priority risks and improving compliance with EU legislation.

The second objective under this priority aimed to **build the capacity of enforcement** authorities, through: (i) improving cooperation, coordination, and communication; (ii) improving the knowledge base of practitioners; (iii) improving training; and (iv) strengthening practitioner networks.

---

[18] Report from the Commission to the European Parliament and the Council, *Report on the Generalised Scheme of Preferences covering the period 2014-2015*, SWD(2016) 8 final.

The third objective under this priority was targeted at the links between wildlife trafficking and **organised crime**. To ensure cooperation among authorities and relevant expert agencies, the action plan called for a concerted effort to raise awareness of the clandestine and organised criminal nature of the illegal wildlife trade at political level among: (i) enforcement and prosecution officials; (ii) relevant specialists in organised crime and money laundering; and (iii) financial investigation units.

As wildlife trafficking is usually an international crime, the fourth objective under this priority looked to strengthen **international cooperation of enforcement actors**, in line with UNGA Resolution 69/314, which calls on United Nations organisations and Member States to improve cooperation with all relevant stakeholders to facilitate a comprehensive approach by the international community.

(3) Strengthening the global partnership of source, consumer and transit countries against wildlife trafficking.

The first objective under priority 3 related to **support to developing countries**. It aimed to increase this support by ensuring that wildlife crime is integrated as a priority in EU funding in the areas of natural-resource management, environment, organised crime, and security. It also aimed to ensure the effectiveness of this support.

The second objective highlighted the importance of **coordination and dialogue between source, consumer, and transit countries**. A range of EU diplomatic and international cooperation tools could be used to strengthen this cooperation, including EU trade policies and instruments, participation in relevant regional organisations, and EU diplomatic channels.

The third objective under this priority identified the need for greater understanding of the **security**-related dimensions of the illegal wildlife trade.

The fourth objective under this priority called for continued participation in the **strengthening of multilateral efforts to combat wildlife trafficking**. This includes active participation and supporting the adoption and implementation of strong decisions, resolutions, and political declarations in CITES, the Convention on Biological Diversity, and all other relevant fora.

2.2 2.2 POINT(S) OF COMPARISON

In principle, the starting point for assessing the effectiveness of any actions is the state-of-play before the adoption of the 2016 action plan, both in terms of actions undertaken and outcomes. However, as previously mentioned, wildlife trafficking is a pervasive, complex, and vastly under-researched and under-reported issue. This means that there are limited representative data available on wildlife trafficking from either before or after 2016.

In addition, the COVID-19 pandemic is likely to have had a significant impact on wildlife trafficking (see ***Box 1***). This means that it is difficult to establish a clear baseline or to determine how the situation would have developed without the adoption of the 2016 action plan.

Box 1 - Impacts of the COVID-19 pandemic on wildlife trafficking

The pandemic resulted in worldwide travel restrictions, border closures, and limitations on direct contact with other people for much of 2020. Measures to prevent the spread of COVID-19 are likely to have disrupted traffickers' transport methods, in some cases impacting the scale of the operation of trafficking networks due to fewer opportunities for illegal trade[19]. This factor is likely to have contributed to reduced number of seizures registered in this time, with 38% fewer seizure records reported by EU Member States in 2020 than in 2019[20]. The COVID-19 pandemic also had an impact on the number of personnel able to carry out enforcement actions, resulting in reduced capacity to detect and report on illegal trade in wildlife. E-commerce volumes accelerated during the pandemic, in part triggered by travel restrictions and physical shop closures. The intensified volume of parcel deliveries represented a significant challenge for authorities in charge of checking parcels and enforcing CITES and the EU Wildlife Trade Regulations.

In addition to the difficulty of establishing a baseline against which to compare the current state of play, it is not possible to precisely disentangle actions (and the impacts of these actions) that would have happened as a direct result of the action plan from those that would have occurred regardless. Complicating this further, the action plan was designed to align with and include existing actions.

Finally, it is important to remember that the action plan was designed[21] to be a comprehensive framework to address the issue of wildlife trafficking globally. It contained many actions, varying in scope. The wide range of actions of the action plan was intended to allow for a broad and extensive approach to combating the illegal trade in wildlife, but this wide range of actions also further complicates the assessment. While the action plan included provisions for Member State reporting, it did not contain a clear and precise framework for monitoring and evaluation. This is in large part due to the fact that no clearly defined metrics (e.g. number of seizures, number of training sessions, value of goods seized) are fully representative of the EU fight against wildlife trafficking and its impacts. While a robust monitoring and evaluation framework could have been designed, it might have required resources (time and expertise of staff) that were disproportionate in relation to the accuracy of the knowledge gained.

The success of the action plan is assessed through progress in achieving the objectives it set out. Measuring this success involves: (i) analysing the priorities identified in the action plan; (ii) evaluating the actions taken to reach the objectives; and (iii) identifying where barriers to reaching those objectives were faced. Considering the limitations outlined above, the evaluation draws chiefly from the input and views of stakeholders gathered during the consultation period, as well as data included in reports from Member States on legal and illegal trade.

---

19 UNODC, *World Wildlife Crime Report 2020*: Trafficking in Protected Species, 2020.

20 TRAFFIC, *Overview of seizures of CITES-listed wildlife in the European Union, January to December 2020*, 2022

21 See intervention logic diagram in Annex II.

3 3 How has the situation evolved over the evaluation period?

3.1 3.1 The state of the illegal wildlife trade in the EU

The EU plays many roles in the international wildlife trade. It is an important market for wildlife and their products globally. As shown in Figure 1, it is also a transit and source region for wildlife traded both legally and illegally.

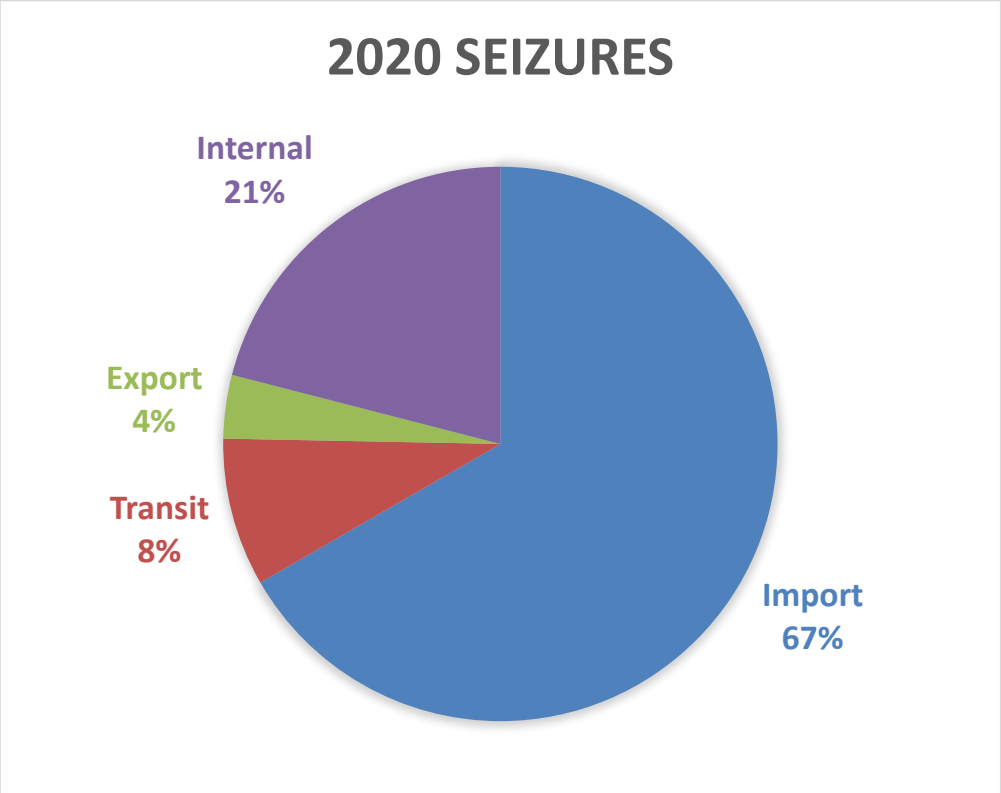


Figure 1 - Proportion of seizures of illegally traded wildlife by direction of trade[22]

EU Member State authorities consistently seize wildlife in various commodity types including medicinals, corals, reptiles, birds, plants, and mammals[23]. Since 2017, there are an average of over 6 000 annual seizures involving CITES-listed wildlife in the EU (Table 1), a figure that rose incrementally until 2020. In 2020, there was a reduction which was likely due to the impact of the COVID-19 pandemic[24]. Medicinals[25] (animal and plant-derived medicinals) are consistently the top commodity reportedly seized in the EU, with 1 869

22 TRAFFIC, *An overview of seizures of CITES-listed wildlife in the EU in 2020*, 2022.

23 *Ibid*.

24 *Ibid*.

25 Units used to report medicinals are not consistent across EU Member States: some report units as packs of tablets others as individual tablets; sometimes no unit is specified, or kg or l is used. Furthermore, under EU law, products which are labelled as containing listed species under the EU Wildlife Trade Regulations are taken as containing that particular species and may be seized without any verification of the species content in the project or DNA testing beforehand. These data can therefore not distinguish between those verified as containing listed species from those simply claiming this on the packaging.

seizure records involving medicinals reported in 2019[26]. Live coral rock, non-live coral rock, reptile bodies, reptile parts, reptile derivatives, live reptiles, live birds, bird bodies, bird parts, and bird derivatives are also consistently seized across the EU. The clandestine nature of the illegal wildlife trade means that although seizure data offers an insight into the scale of illegal wildlife trade, the true scale of illegal trade in wildlife is likely to be much greater.

Table 1. Reported EU seizures involving wildlife between 2014 and 2020, extracted from EU-TWIX database.

Year	Number of seizures
2014	3 508
2015	5 035
2016	4 078
2017	6 142
2018	6 549
2019	6 898
2020	4 669

Table 1 illustrates the total seizures of illegally traded wildlife per year, as based on data submitted to EU-TWIX[27]. It should be noted that the total number of seizures per year differs from that reported in the annual overview of seizures of CITES-listed wildlife in the EU[28]. This is due to late submissions by Member States every year which retrospectively add additional seizures to the annual total. It should also be noted that, from 2017, annual reports on illegal trade have become a mandatory reporting requirement for all CITES parties[29]. Before this mandatory requirement was in place in 2017, EU Member States were requested to submit a yearly overview of significant seizures for analysis to provide an indication of seizure levels across the EU. Therefore, the rates of reporting before 2017 differ from the rates post-2017. Furthermore, although they are a valuable indicator of the varying levels of trade across years, seizure data are not indicative of absolute quantities of illegal wildlife traded. Seizures records also contain varying quantities of wildlife, from tourist souvenirs to

---

26 TRAFFIC, *An overview of seizures of CITES-listed wildlife in the EU in 2019*, 2020.

27 The EU-TWIX database is an extensive dataset that provides information on wildlife trafficking involving the EU. It enables some comparisons between the period before the adoption of the 2016 action plan and the period after the adoption of the 2016 action plan. The database contains more than 52 000 seizures made between 1984 and 2015 and more than 29 000 seizures between 2016 and 2022.

28 See: https://ec.europa.eu/environment/cites/reports_en.htm

29 See: Annual Illegal trade reports | CITES

commercial containers of tropical wood. When making inferences based on seizure records, it is also important to note that although observed changes in the number of reported seizures could be indicative of a shift in demand or changes in illegal wildlife trade dynamics, these reported seizures are also indicative of reporting procedures, the varying levels of the enforcement effort, as well as capacity to detect and report illegal trade in wildlife.

With these points in mind, the EU-TWIX data shows a steady increase in the number of seizures post-2016 (apart from 2020, which was likely due to the COVID-19 pandemic) which may be linked to: (i) an increase in enforcement efforts across the Member States related to the implementation of the 2016 action plan; (ii) an increased focus on tackling the illegal wildlife trade across the EU without specific reference to the action plan; or (iii) an increase in trafficking.

3.2 3.2 IMPLEMENTATION OF THE ACTION PLAN BY PRIORITY

Analysis of each action under the action plan has shown that each of the 32 actions have been, at least in part, implemented. Section 3.2 outlines, using some examples, how actions have been undertaken under each Priority and Objective of the action plan. For a comprehensive analysis of progress under each action, see the support study[30].

A wide range of actions to combat the illegal wildlife trade has been implemented since the adoption of the 2016 action plan. This overview is provided to illustrate some – by no means exhaustive – examples of implementation of key objectives under the three priorities of the 2016 action plan. This implementation is analysed in Section 4.

3.2.1 3.2.1 PRIORITY 1 – PREVENTING WILDLIFE TRAFFICKING AND ADDRESSING ITS ROOT CAUSES

There have been many actions implemented under Priority 1 to **reduce the demand** for and supply of illegal wildlife products. Actions led to raise awareness have included events, workshops, exhibitions, and campaigns conducted at schools, universities, zoos, and rescue centres (e.g. Austria, Sweden, Italy, Hungary and Belgium), with particular focus on CITES rules and other relevant international legislation. France[31] and the Netherlands[32] have created apps to inform travellers on prohibitions and restrictions related to importing/exporting wildlife and their products. In May 2017, the European Commission adopted a guidance document recommending that Member States stop issuing export documents for raw ivory[33], which was further revised in 2021, leading to an almost complete ban[34]. In 2016 and 2019, at the 17th and 18th Conference of the Parties to CITES, the EU successfully proposed to CITES that it extend its protection to various species largely imported into the EU.

Indigenous people and local communities in source countries have been engaged in the fight against illegal wildlife trafficking through programmes to support and build their

30 See: Annual Illegal trade report | CITES

31 European Commission, *Progress report on the EU Action Plan against wildlife trafficking – France*, 2018.

32 European Commission, *Progress report on the EU Action Plan against wildlife trafficking – Netherlands*, 2018.

33 European Commission, *EU regime governing intra-EU trade and re-export of ivory*, 2017.

34 European Commission, *Revised guidance document, EU regime governing trade in ivory*, 2021/C 528/03.

capacity to sustainably manage natural resources. These programmes create jobs in green sectors and give communities the necessary tools to restore and conserve protected areas. For instance, the EU has funded programmes which aim to: (i) improve law enforcement against the illegal wildlife trade by strengthening local community support and participation; and (ii) to build the capacities of local communities to sustainably manage their natural resources. Some examples of these programmes include the sustainable wildlife management programme[35], NaturAfrica[36], and the Greater Kilimanjaro Transfrontier Conservation Area project (2018-2019)[37].

Businesses and industries have increasingly engaged in efforts to combat wildlife trafficking by developing task forces and partnerships such as United for Wildlife, a United Kingdom organisation founded in 2014, which is leading the Transport Taskforce and the Financial Taskforce to tackle the illegal wildlife trade. The EU Wildlife Trade Enforcement Group (Enforcement Group)[38] led a special meeting with representatives of the aviation and courier/parcel industries.

A successful proposal driven by the EU at the 17th Conference of the Parties to CITES (CoP17) recognised that **corruption** is a key enabler for wildlife trafficking, and called on the CITES parties and bodies to prevent, detect and penalise it. The EU has been involved in financial support to tackle corruption in non-EU countries, through the programmes managed by EU delegations. For example, the EU has aided civil society organisations (CSOs) through financial support from the European Instrument for Democracy and Human Rights (EIDHR) to train local staff in non-EU countries on tools and methods related to corruption and human rights[39]. Anti-corruption features in multiple programmes under the Neighbourhood, Development and International Cooperation Instrument and the Instrument for Pre-Accession Assistance and predecessors of these programmes.

3.2.2 3.2.2 PRIORITY 2 – MAKING IMPLEMENTATION AND ENFORCEMENT OF EXISTING RULES AND THE FIGHT AGAINST ORGANISED WILDLIFE CRIME MORE EFFECTIVE

To promote the **consistent implementation** of EU rules on the wildlife trade, some countries have transposed the action plan into national action plans, which facilitated the integration of the action plan's objectives into national priorities. For example, Germany drew up a national action plan which lists the activities it intended to conduct to effectively implement the action plan. Spain also developed a national action plan against wildlife trafficking, which makes it possible for different Spanish institutions and administrations to follow actions to combat the illegal wildlife trade within their own areas of work[40]. Member States have also reported

---

35 See: The Sustainable Wildlife Management (SWM) Programme - SWM Programme (swm-programme.info)

36 See: NaturAfrica (europa.eu)

37 See: Greater Kilimanjaro Trans Frontier Conservation Area Strengthening Community Support for Law Enforcement and Anti-Poaching Efforts | EEAS Website (europa.eu)

38 See: Enforcement Group - Environment - European Commission (europa.eu)

39 See: Corruption and human rights in third countries: developments in EU external action since 2017 (europa.eu)

40 Government of Spain, Ministerio de Agricultura y Pesca, Alimentacion y Medio Ambiente, *Plan de acción español contra el tráfico ilegal y el furtivismo internacional de especies silvestres*, 2018.

every year on trade in CITES-listed specimens and seizures[41]. At CITES CoP17, the EU successfully presented a resolution setting out agreed principles on ensuring the legality and sustainability of trade in hunting trophies. The EU also funded the Intergovernmental Task Force on Illegal, Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT). Perhaps most significantly, the Enforcement Group was empowered to assess priority risks by monitoring enforcement policy and practice in the EU Member States, encouraging the exchange of information and improving the enforcement of wildlife trade legislation. The Enforcement Group has met on average twice a year and has participated in special thematic meetings. These have included meetings with enforcement authorities from non-EU countries, or informational sessions with aviation and courier/parcel industries[42].

To **increase the capacity of enforcement actors**, several Member States participated in joint EU-wide enforcement operations such as the 'Thunder' operations – month-long coordinated actions to disrupt wildlife trafficking and search cars, trucks, boats, and cargo transporters (see Box 2 below). Coordination mechanisms have also been put in place at the national level (through inter-agency task forces and memoranda of understanding). Training on CITES for officers, prosecutors, judges, inspectors, and customs officers has been administered by various Member States. The implementation of the LIFE-ENPE[43] project (to build a network of environmental prosecutors) and the IMPEL project (to analyse good practices in implementing EU tools) has contributed to increasing the capacity of enforcement authorities to combat wildlife trafficking.

On the **fight against organised wildlife crime**, EMPACT[44] introduced an integrated approach to EU internal security. EMPACT has also drawn up a methodology to evaluate priorities in the fight against organised and serious international crime. One of the priorities for the EMPACT 2022-2025 programme[45] is environmental crime, with a focus on disrupting criminal networks involved in wildlife trafficking. The EU funded the EU Wildlife Cybercrime Project from February 2019 to January 2021, with input from the Worldwide Fund for Nature (WWF) Belgium, the International Fund for Animal Welfare, Interpol, Belgian customs, WWF France, and WWF Hungary. The project aimed to disrupt wildlife trafficking which occurs via the internet and parcel delivery services, through increased detection and removal of fraudulent adverts and accounts. Several Member States have ensured that their legislation treats wildlife crime as a serious crime, as defined by the UN Convention against Transnational Organized Crime. These Member States have increased their efforts to investigate and sanction money laundering and other illicit financial flows related to wildlife crime.

---

41 See: *Reports | CITES*. Cites.org. Retrieved 21 April 2022, from https://cites.org/eng/parties/country-profiles/eu/reports

42 See: Enforcement Group - Environment - European Commission (europa.eu)

43 See: EU Life Project: LIFE-ENPE (LIFE 14 GIE/UK000043) | ENPE-European Network of Prosecutors for the Environment (environmentalprosecutors.eu)

44 European Multidisciplinary Platform Against Criminal Threats (EMPACT) is a security initiative to identify and address threats from international crime.

45 See: EU Policy Cycle - EMPACT | Europol (europa.eu)

The EU and its Member States have actively engaged in **strengthening the international cooperation of enforcement and management authorities**, including through joint training days and financial support for training in non-EU countries.

Box 2 – 'Thunder' operations

Since 2017, several worldwide joint actions were initiated by the Interpol Wildlife Crime Working Group and coordinated by Interpol and the World Customs Organization. These actions received EU funding from – and additional coordination at EU level by – Europol[46]. It saw the participation of several Member States[47].

These joint actions include operations: Thunder (2021), Thunderball (2019), Thunderstorm (2018) and Thunderbird (2017).

These operations successfully disrupted criminal networks and led to hundreds of arrests worldwide by: (i) targeting criminals and networks involved in cross-border wildlife crime; and (ii) supporting the cooperation of customs, police, financial intelligence units, wildlife-enforcement agencies, and forestry-enforcement agencies. Since 2017, the 'Thunder' operations have led to more than 8 000 seizures of protected wildlife and forestry species and the arrest of more than 3 000 offenders.

3.2.3 3.2.3 PRIORITY 3 – STRENGTHENING THE GLOBAL PARTNERSHIP OF SOURCE, CONSUMER, AND TRANSIT COUNTRIES AGAINST WILDLIFE TRAFFICKING

On priority 3, the EU, through **financial support,** has helped to train and equip local communities, improve law enforcement, and raise the profile of action against the illegal wildlife trade. According to the OECD, the EU and its Member States continues to account for the largest share of total official development assistance (ODA) in the world. This ODA has developed cooperation in all regions and across all sectors, and collectively amounted to USD 76.1 billion in 2020[48]. Over the course of the period covered by the action plan, the EU and its Member States have funded many projects and programmes addressing the illegal wildlife trade in source countries, such as BIOPAMA[49] and the Monitoring the Illegal Killing of Elephants project[50]. Partners Against Wildlife Crime is an EU-funded action implemented by a consortium of 12 international and national partner organisations led by the Wildlife Conservation Society. The project aims to disrupt illicit supply chains from source to market for tigers, Asian elephants, Siamese rosewood, and freshwater turtles in the Greater Mekong region, Malaysia, and China by leveraging civil-society partnerships to increase the effectiveness of government action[51].

---

46 Europol, "*Wildlife crime: European seizures and arrests in global Operation Thunderstorm*", 21 June 2018.

47 CITES, '*Global arrests and seizures: WCO-INTERPOL Operation Thunder 2021 strikes wildlife and timber trafficking networks*', 30 November 2021.

48 OECD, '*European Union institutions'*, in Development Co-operation Profiles, OECD Publishing, Paris, 2022.

49 See: BIOPAMA.org

50 See: Monitoring the Illegal Killing of Elephants (MIKE) | IUCN

51 See: WCS EU > Our Work > Wildlife Trafficking > Partners against Wildlife Crime

Coordination between source, transit and market countries has been improved through a variety of tools. The Commission and the High Representative of the Union for Foreign Affairs and Security Policy have developed continental strategies for Africa (the 'Larger than elephants[52]' strategy), Asia (the 'Larger than tigers' strategy[53]) and Latin America (the 'Larger than jaguars' strategy[54]) to tackle the principal threats to wildlife in these regions. EU trade agreements have also been used, with the EU-Vietnam agreement being seen as a good example of including environmental issues in its provisions. Out of 11 EU foreign trade agreements evaluated, 10 address the issue of biodiversity protection, while 9 cover illegal trade in endangered species[55]. The relevant EU authorities have also actively cooperated with non-EU countries. SADC-TWIX[56], Africa-TWIX[57] and Eastern-Africa TWIX[58] have been increasingly used by local officials, supporting the exchange of information between authorities.

The EU commissioned a study released in 2020 about the **security** issues of illegal wildlife trade in sub-Saharan Africa, expanding in detail on the links between security and the illegal wildlife trade in communities living close to wildlife[59].

The EU and its Member States have actively participated in **multilateral efforts to combat wildlife trafficking**. The EU contributed to the development and adoption of the Resolution on 'Illegal trade in Wildlife and Wildlife products' adopted by the 2nd UN Environment Assembly in 2016 and participated in the Hanoi Conference on the illegal wildlife trade in November 2016. In 2019, the EU and its Member States co-sponsored again the Resolution on Tackling Illicit Trafficking in Wildlife at the UN General Assembly[60]. The EU also

---

52 European Commission, Directorate-General for International Cooperation and Development, MacKinnon, J., Aveling, C., Olivier, R., et al., *Larger than elephants: inputs for an EU strategic approach to wildlife conservation in Africa: synthesis*, Publications Office of the European Union, 2017.

53 European Commission, Directorate-General for International Cooperation and Development, *Larger than tigers: inputs for a strategic approach to biodiversity conservation in Asia: regional reports*, Publications Office, 2019.

54 European Commission, Directorate-General for International Partnerships, Aragón, R., Arguedas, S., Blumetto, O., et al., *Larger than jaguars: inputs for a strategic approach to biodiversity conservation in Latin America and the Caribbean: synthesis report*, Mayaux, P.(editor), Villanueva Hullebroeck, P.(editor), Van Houtte, F.(editor), Marijnissen, C.(editor), Chatelus, S.(editor), Saracco, F.(editor), Publications Office of the European Union, 2021.

55 London School of Economics, Velut, JB., Baeza-Breinbauer, D., De Bruijne, M., Garnizova, E., Jones, M., Kolben, K., Oules, L., Rouas, V., Tigere Pittet, F., Zamparutti, T. *Comparative Analysis of Trade and Sustainable Development Provisions in Free Trade Agreements*, 2022.

56 See: SADC-TWIX

57 See: AFRICA-TWIX

58 See: Eastern Africa-TWIX

59 European Commission, Directorate-General for International Cooperation and Development, *Study on the interaction between security and wildlife conservation in Sub-Saharan Africa Part I*, Publications Office, 2020.

60 See the statement made by the EU: https://www.eeas.europa.eu/delegations/un-new-york/eu-statement-%E2%80%93-united-nations-general-assembly-resolution-tackling-illicit_en.

pushed at the CITES Conference of the Parties and at the CITES Standing Committee meeting in November 2017 for targeted recommendations and sanctions to improve the fight against trafficking in ivory, rhino horn, rosewood, and tigers.

4 4 EVALUATION FINDINGS

4.1 4.1 TO WHAT EXTENT WAS THE INTERVENTION SUCCESSFUL AND WHY?

4.1.1 4.1.1 EFFECTIVENESS

4.1.1.1 To what extent have the actions planned been carried out and the objectives met, and what have been the impacts of these actions?

As acknowledged previously, the extent to which efforts to curb wildlife trafficking can be directly linked to the EU action plan against wildlife trafficking is difficult to assess. Nevertheless, there has been progress towards several objectives of the action plan since it was launched. Three clear lessons from stakeholder consultations, about which there was broad agreement, suggest that the actions taken to address the illegal wildlife trade (outlined in Section 3.2) may have led to: (i) a strengthened response to the threat of the illegal wildlife trade; (ii) increased cooperation between Member States; and (iii) increased coherence between the actions of Member States. The following paragraphs look at each of these three areas in turn.

A strengthened response to the illegal wildlife trade

According to input received during the consultations, the action plan has contributed to raising the profile of the fight against the illegal wildlife trade in the EU, within Member States, in non-EU countries, and at the international level. It has helped to increase skills and staff levels and has increased cooperation between authorities (including wildlife authorities, CITES management authorities, customs, police, etc.). The action plan has also promoted action to: (i) increase the involvement of important stakeholders from the enforcement chain such as prosecutors and judges; and (ii) increase recognition of other issues related to the illegal wildlife trade, such as corruption, money laundering and security. It also increased the involvement of the private sector in the fight against the illegal wildlife trade. Furthermore, the action plan supported activities in source countries to provide both sustainable alternatives to the illegal wildlife trade and benefits from wildlife protection.

Although few quantitative indicators are available to measure the impacts of these actions, some numbers are available. For example, the CITES indicator 'Proportion of Illegally Killed Elephants' in Africa has decreased consistently after a peak in 2012. Similarly, ivory re-exports have decreased for both raw and legally worked ivory since the adoption of the action plan: 420 tusks were re-exported in 2016, but only 101 in 2017 and the average number of re-export certificates fell from approximately 470 during 2012-2015 to 280 during 2016-2018[61]. It is difficult to interpret illegal wildlife trade seizure records, as an increase of seizures can be either due to better targeting and implementation of verifications or increased illegal trade, but recent numbers remain relatively high. In 2020, 24 Member States reported a total of 3 977 seizure records, and 6 441 seizure records were reported by 25 Member States in 2019. Of the 3 977 seizures, Germany (1 144), France (1 071), the Netherlands (459) and Spain

[61] European Commission, *Revised guidance document, EU regime governing trade in ivory*, 2021/C 528/03.

(330) accounted for 79% of 2020 seizures[62]. The 'Thunder' operations have led to approximately 8 000 seizures of protected wildlife and forestry species and the arrest of more than 3 000 suspected offenders[63]. It is important to note that it is impossible to identify whether these increases can be attributed directly to the existence and implementation of the action plan, although they are aligned with its actions and objectives.

Although the rate of seizures seems to have increased since 2016, Member States and civil society organisations have noted that this has not systematically translated into the increased sentencing and sanctioning of criminals. Although several Member States reported having updated their national legislation to ensure that wildlife trafficking was treated as a serious crime (and therefore punishable by imprisonment of at least 4 years), there is no evidence to show that this has led to more appropriate and dissuasive sanctioning.

In addition, several Member States reported a need to strengthen the response to wildlife trafficking online. The EU Wildlife Cybercrime Project mentioned above led to two reports: one on using technology to tackle online wildlife trafficking[64], and another on the online trade in reptiles and birds in Belgium and the Netherlands[65].

Increased cooperation between Member States

There have been concrete efforts to boost capacity, detect illegal activities, share data and knowledge, and strengthen cooperation between enforcement services and practitioners within and between EU Member States. The extent of cooperation among law-enforcement agencies grew slowly but surely between 2018 and 2022. There are several good examples of successful cooperation that led to convictions of criminals beyond the emphasis on seizures.

Examples of enhanced cooperation between Member States include the 'Thunder' operations launched since 2017 (see **Box 2**). Operation LAKE (sixth edition 2021-2022)[66] and Operation Fame (2019)[67] focused on eel trafficking. Mainly carried out by Spain's Guardia Civil, with support from Europol and AMERIPOL, Operation SUZAKU[68] also focused on wildlife trafficking. Beyond these flagship operations, cooperation has also been promoted through specialised EU networks for enforcement professionals working on environmental crimes.

These operations are key to combating wildlife crime and are a clear example of strengthened cooperation. Many participants in the consultations for this evaluation said that the action plan has been a useful tool to ensure that combating wildlife trafficking remained a political

---

62 TRAFFIC, *An overview of seizures of CITES-listed wildlife in the EU in 2020*, 2022.

63 Interpol, '*Global arrests and seizures: INTERPOL-WCO operation strikes wildlife and timber trafficking networks'*, 30 November 2021

64 TRAFFIC and WWF, *Tackling Wildlife Cybercrime in the EU: how technology can help*, 2020.

65 TRAFFIC and WWF, *Top Wildlife Cybercrime in the EU: Online trade in reptiles and birds in Belgium and the Netherlands*, 2020.

66 OLAF, "*OLAF in operation against trafficking of endangered species*", 24 June 2022.

67 Europol, "*Over 5 tonnes of smuggled glass eels seized in Europe this year*", 6 November 2019.

68 Europol, "*Illegal trade in endangered species: 29 arrests and over 2,000 animals seized in international Operation SUZAKU*", 20 December 2017.

priority, even in the absence of robust data, although it is difficult to assess to what extent the action plan has been instrumental in that respect.

On data sources related to the illegal wildlife trade, and to environmental crimes more broadly, several tools enable information exchange across the EU and with neighbouring countries (including EU-TWIX). Although there seems to be broad recognition of the usefulness of these tools, Member States and other stakeholders mentioned that the tools are not updated often enough. This may be because of a lack of capacity, a lack of resources, and/or a lack of transparency – in cases where information is conserved sensitive. Or it may also be because of limited access to the tools. In addition, there is currently no common, updated database on information about the prosecution of cases in the EU. At the 42nd Enforcement Group meeting, some ideas on strengthening information sharing were also discussed, such as: (i) improving risk profiling/information sharing with front-line officers through the use of risk information forms (RIFs) (proposed by DG TAXUD); (ii) reporting risk profiling information/seizure data to SIENA (Europol) to ensure that wildlife crime will continue to be categorised as a priority under EMPACT; and (iii) the creation of a centralised database (modelled on EU-TWIX) collating all information on national legislation relating to the trade in birds, as well as images and details of bird rings used in different countries.

Overall, these activities to promote cooperation between Member States have led to clear improvements. However, to successfully carry out the other activities in the action plan, there is still a need to continue support for improved coordination, cooperation, and communication between Member States, non-EU countries, and international institutions, as well as between Member States' own enforcement agencies.

Increased coherence of action in Member States

Differences remain between Member States in the fight against the illegal wildlife trade. Such differences can be partially explained by the extent to which the illegal wildlife trade is a risk in the country. For example, the TRAFFIC report on seizures of CITES-listed wildlife in the EU in 2020 reported that Germany, France, and the Netherlands reported approximately 80% of all CITES-related seizures in the EU that year, with Germany and France reporting 60% of these seizures. The Netherlands, Belgium, Germany, Spain, and France have the largest sea ports in the EU[69]. This partly explains why these countries are very active in international trade in general and therefore have stronger controls and enforcement capacity, which has a greater impact in combating illegal trade. Some Member States are also source countries of illegal trade, e.g. eels and birds.

With regard to cooperation with non-EU countries, some Member States have well developed bilateral cooperation mechanisms, including mechanisms that focus on biodiversity. For example, Germany's GIZ and KfW are important development partners in many non-EU countries, as is the France's AFD, along with other smaller agencies (Spain's AECID, Italy's CDP, Denmark's Danida, Belgium's ENABEL, Irish Aid, Luxembourg's Lux Dev, Sweden's SIDA, etc.). This reflects the difference in the extent to which Member States have been involved in the implementation of actions in non-EU countries.

[69] According to the latest figures issued by the World Shipping Council (2019), the following EU ports are ranked among the top 50 world container ports based on container traffic (measured in twenty-foot equivalent units): Rotterdam, the Netherlands (10th); Antwerp, Belgium (14th); Hamburg Germany (18th); Piraeus, Greece (28th); Valencia (30th) and Algeciras, Spain (34th); Bremen/Bremerhaven (36th).

Some Member States have transposed the action plan into national action plans, including Spain[70], Germany, Slovenia[71] and Czechia[72]. The reported advantages of this include that a national action plan may: (i) facilitate the integration of the action plan's objectives into national priorities; (ii) clearly identify national priorities related to the illegal wildlife trade; (iii) demonstrate the commitment of the Member States to prioritise the fight against the illegal wildlife trade; and (iv) raise political and public awareness of issues related to the illegal wildlife trade. An alternative approach is that taken by Belgium, which demonstrates that with clear national objectives and strengthened coordination mechanisms, a national action plan may not be necessary to implement the EU action plan.

The differences between Member States have led to different levels of implementation and enforcement. According to input from stakeholders, the action plan seems sufficiently flexible to account for these differences. The national action plans or other mechanisms to implement the action plan at the national level can also identify the priorities within each Member State, according to its situation. However, stakeholders from civil society have criticised an unequal implementation of rules, which creates possible loopholes that facilitate the illegal wildlife trade[73]. As highlighted in the recent Europol report, 'environmental criminals know how to exploit the differences in product classification systems in various countries, the partial transposition of international protocols, the limited exchange of data among authorities, and the lack of harmonisation in prosecution rules across jurisdictions'[74]. This allows environmental criminals to make the best use of uneven rules in different Member States to successfully traffic live animals, live plants, plant and animal products, plant and animal parts, or derivatives using these plant and animal parts.

An evaluation of capacities and the varying implementation and enforcement needs in Member States in terms of implementation and enforcement could make it possible to target support to Member States with lower capacities and set up knowledge exchange activities with Member States implementing good/best practices.

4.1.1.2 What factors have contributed to or hindered the achievement of the objectives?

Although there has been progress towards achieving some objectives of the action plan, the evaluation has drawn attention to several barriers to effective action to curb the illegal wildlife trade. These include: (i) the impact of COVID-19; (ii) the lack of legal tools beyond CITES; (iii) the broad scope of the action plan; and (iv) the lack of skilled, specialised staff and money to match the ambition of the action plan.

---

70 Government of Spain, Ministerio de Agricultura y Pesca, Alimentacion y Medio Ambiente, *Plan de acción español contra el tráfico ilegal y el furtivismo internacional de especies silvestres*, 2018.

71 Government of Sweden, Government Communication Comm. 2016/17:126 *Combating crime together. A national crime prevention programme,* 2017.

72 Government of Czechia, *Action Plan to Combat Illegal Trade in Endangered Species of Animals and Plants by the year 2023*, 2021.

73 See e.g. Lemaître & Hervé-Fournerau (2020) '*Fighting Wildlife Trafficking: An Overview of the EU's Implementation of Its Action Plan Against Wildlife Trafficking'*, Journal of International Wildlife Law & Policy, 23:1, 62-81, 2020.

74 Europol, *Environmental Crime in the Age of Climate Change - Threat assessment 2022*, Publications Office of the European Union, Luxembourg, 2022.

An important factor which has contributed to the achievement of the objectives of the action plan is the complementarity between the priorities, objectives, and actions of the action plan, which helps to tackle the different aspects of wildlife trafficking.

However, many Member States were of the view that this broad scope has also complicated implementation of the action plan. Some Member States reported that some actions went beyond their capabilities or required action from government agencies beyond those tasked specifically with addressing the illegal wildlife trade. This is also reflected in 2018 progress reports by Member States that include several blank responses, for example, when it came to reporting on initiatives to work with relevant business sectors, and notably on objective 2.3 on organised crime. In the 42nd Enforcement Group meeting, implementation of priority 3, which aims to strengthen global cooperation in the fight against wildlife crime, was mentioned as particularly challenging due to the limited time and capacity available at the national level.

The lack of an appropriate monitoring framework makes it difficult to better identify gaps and successes. An appropriate monitoring framework would provide a strong basis for improving the action plan at all levels.

Funding was identified as a significant challenge. Member States reported at the 42nd Enforcement Group meeting that there was a significant lack of funding to implement the action plan at the national level, with all countries having to rely on national budgets to implement the action plan. The failure to track resource allocation has also been highlighted by stakeholders from the targeted expert survey as a barrier to understanding the actions being taken and how to improve them. Beyond funding, Member States also report a lack of skilled staff for implementation, enforcement, and reporting on the implementation of the action plan, in relation to the scale of action needed to adequately respond to the threats posed by the illegal wildlife trade.

COVID-19 has been a challenge to implementing many of the planned activities set out in the action plan. The pandemic also led to a change in the pathways of the illegal wildlife trade, with for example, increased use of online platforms and parcel services. This required enforcement authorities to adapt accordingly.

On possible missed opportunities, some stakeholders, mostly researchers and non-governmental organisations, considered that the action plan was too focused on taking measures to control the trade of CITES-protected species, even though these stakeholders felt that an increasing number of endangered non-CITES species are still being legally traded. Other stakeholders, mainly Member States, suggested continuing to only focus on CITES species. This divergence of views illustrates the tension between the need to be realistic about the financial and human resources available for enforcement, and the magnitude of action that would be necessary to fully tackle the illegal wildlife trade.

Finally, several stakeholders raised the issue that there is little scope within the action plan for the participation of civil society. Civil society plays a key role in action against the illegal wildlife trade, including through gathering data, raising awareness, and managing projects in source countries, and brings a wealth of knowledge and experience, so the failure to explicitly include civil society in the action plan can be seen as a missed opportunity.

One strength of the 2016 action plan is that although it sets out actions that should be implemented to tackle the illegal wildlife trade, it is not rigid in prescribing formats or

requirements for these actions. This allows for flexibility in implementation and leaves room for other activities to be implemented in parallel, a benefit identified by several stakeholders, including the Commission and Member States. For example, actions have already been taken to identify and tackle cybercrime as an emerging issue, including through the ICCWC, Interpol and Europol.

One important gap that was frequently raised during stakeholder meetings was the action plan's failure to adequately strengthen the legal 'teeth' of EU action against wildlife trafficking. As identified in the analysis that preceded the drafting of the action plan, the sanctioning of wildlife crime in the EU is uneven across Member States (see section 2.1.3). According to Member States, this problem has persisted. Although the action plan makes it possible to focus on all stakeholders of the enforcement chain, training and properly equipping judges and prosecutors has been piecemeal and has not translated into significantly strengthened sanctioning. In addition, stakeholders – particular CSOs – believed that EU wildlife trade legislation was too narrowly focused on CITES rules. The lack of effective and implementable legal support to the action plan was also raised in the context of trafficking in species beyond those listed in CITES. These same stakeholders referred to a need to explore new legal tools to address all unsustainable trade in wildlife. These legal tools ranged from extending existing obligations under the current EU regulations on wildlife trade to more species, to passing new legislation criminalising all unsustainable trade in wildlife.

4.1.1.3 How effective has the reporting and monitoring of progress towards action plan objectives (and/or actions listed in the action plan) been?

Reporting and monitoring have repeatedly been found to be a major issue in both the evaluation and the implementation of the action plan. While there are some reporting obligations for Member States, there is a clear lack of capacity for detailed reporting and analysis. There is also no rigorous framework to make reporting and monitoring effective.

As mentioned previously, the action plan lacks a baseline on actual trafficking levels, and also lacks a clear monitoring and evaluation process, for example through the creation of performance indicators. This makes it difficult to assess the impact of the action plan effectively. The main source of information about the impact of the action plan is the self-reporting by Member States on their activities to implement the action plan in 2018. In addition to the mandatory reporting to the Commission, Member State reports to CITES also provide relevant information to evaluate the progress of Member States in the fight against the illegal wildlife trade. Although these reports do not explicitly provide information on the action plan, they do show results of seizures, a key indicator of results.

Several Member States often said that they lacked the skilled staff and resources necessary for self-reporting. Other responses from Member States mentioned that the content of the current progress reports of EU Member States show too much divergence and are too focused on easier, 'low-hanging-fruit' activities, such as organising meetings. These activities do not give any insights as to whether or not the actions carried out had any tangible results or impact.

4.1.2 4.1.2 EFFICIENCY

4.1.2.1 To what extent have actions under the action plan been cost-effective? What are the overall costs and benefits of the action plan's

implementation? To what extent are the costs proportionate to the benefits it has generated?

It is particularly difficult to measure the cost efficiency of the action plan as it is a collection of many measures by different actors. These measures include projects, policy and legal initiatives, and outreach at the international level, most of which do not come with dedicated funding. Their results cannot be expressed in economic terms. Despite this, it is important to note that no stakeholder raised the issue of any action or measure under the action plan being too costly.

As already indicated, the EU action plan does not include quantified and measurable indicators and targets, nor is any reporting required from the Member States on the financial allocations they have made for the actions related to the 2016 action plan. Even for EU funded projects, the actions listed in the action plan have often been implemented through measures supporting wider environmental (e.g. promoting biodiversity), enforcement (e.g. fighting organised crime) and other objectives. A detailed breakdown of budget, programmes, activities, and beneficiaries' relevance for the action plan is therefore not available. This makes it difficult to estimate the allocated financial resources or how effectively they contributed to specific objectives or actions. There are also problems in measuring benefits. Although there is a well-established link between providing alternative, sustainable incomes to local populations and reducing poaching, there is little way to measure this impact directly. Many of the projects in non-EU countries take a community-based, comprehensive approach within which action against wildlife trafficking is a small part rather than the primary aim. Therefore, only general estimates of benefits and resources are available. For example, there are clear indications that the EU and its Member States are currently the largest donor for conservation activities in non-EU countries. It was estimated that at least EUR 580 million has been allocated by the EU since 2016 to address the illegal wildlife trade[75].

The benefits generated by the action plan are also difficult to determine precisely. It is possible, however, to outline the potential benefits. Fighting the illegal wildlife trade contributes to preserving global biodiversity, which underpins all economic activity, and is estimated to be worth over 127 trillion EUR[76]. In addition, the fight against the illegal wildlife trade contributes to strengthening the rule of law, reducing threats to security. The fight against the illegal wildlife trade is a key part of the fight against organised crime. The benefits of these issues are not easily quantifiable and go beyond economics.

4.1.2.2 To what extent do factors linked to the intervention influence the efficiency with which the observed achievements were attained? What other factors influence the costs and benefits?

One factor that presents a risk to the efficiency of action against wildlife trafficking is corruption. This is particularly a risk in countries with weak environmental governance and enforcement. The EU takes steps to minimise the risk of corruption in projects in non-EU countries, and to support global anti-corruption activities more generally. For example, the EU has aided CSOs through financial support from the European Instrument for Democracy

[75] Lemaitre, S., and Hervé-Fournerau, N., Fighting Wildlife Trafficking: An Overview of the EU's Implementation of Its Action Plan Against Wildlife Trafficking, Journal of International Wildlife Law & Policy vol. 23 no. 1 pp. 62-81.

[76] WWF, Living planet report 2020: Bending the curve of biodiversity loss, 2020.

and Human Rights (2014-2020) to provide training on tools and methods related to the fight against corruption in non-EU countries[77]. At the 17th Conference of the Parties to the CITES Convention in 2016, the European Union successfully introduced a dedicated resolution against the corruption that facilitates wildlife trafficking. This resolution: (i) sets out clearly, for the first time, that corruption plays a major role in the current wildlife trafficking crisis; (ii) calls on CITES parties to adopt targeted actions to address this problem; and (iii) provides a mandate to CITES bodies to hold parties accountable for instances of corruption affecting the implementation or enforcement of CITES.

When discussing the efficiency of the action plan, it is important to note that many of the actions it included were already being carried out. The aim of the action plan was to coordinate and streamline these actions and provide a framework for better cooperation. This means that the action plan did not engender particularly large costs, whether financial or in requirements for staff. For example, for action 1.3, the Enforcement Group already met twice a year, and therefore most of the costs associated with this action were already being accounted for. Inviting businesses to attend these meetings was just an additional step. Similarly, the analysis in the implementation report is a follow-through of the analysis of EU Member States' implementation of the EU Wildlife Trade Regulations, which was already covered financially through a service contract.

It should be noted that there are also new actions within the 2016 action plan that initially did not involve costs (other than staff costs at the EU and Member-State-administration level) but that would still provide benefits. For example, the development of the 2017 guidance documents on the EU regime governing the intra-EU trade and re-export of ivory, did not require much funding. Nevertheless, the guidelines led to benefits by further restricting the ivory trade. However, as noted by Member States, these benefits also came alongside further burdens on enforcement in the Member States. The same could also be said for other actions, for which the expected results included the preparation of proposals, resolutions, and interventions at international fora.

4.1.2.3 Are there opportunities to simplify the action plan, or reduce costs, without undermining the intended objectives?

The exact extent of funding allocated to the implementation of the action plan is difficult to quantify. Nevertheless, Member States and CSOs voiced their concern over the lack of funds, expertise, and staff dedicated to implementation. According to the feedback received, some of the actions from the 2016 action plan could not be undertaken by Member States due to the lack of appropriate resources. In addition, CSOs emphasised that governments greatly depend on them for taking care of most of the seized/confiscated animals, although they themselves lack the funding, skilled staff and space to do so. Although this suggests that targeted prioritisation may increase the efficiency of funding and action under the action plan, it is important to note that none of the actions that were identified as underfunded or lacking in resources were considered superfluous. On the contrary, the lack of resources was presented as a key issue and barrier preventing action against illegal wildlife trade.

[77] Regulation (EU) No 235/2014 of the European Parliament and of the Council of 11 March 2014 establishing a financing instrument for democracy and human rights worldwide.

4.1.3 4.1.3 COHERENCE

4.1.3.1 To what extent is the action plan internally consistent and coherent?

Analysis of the actions taken under each objective does not identify any contradiction and suggests that the action plan is internally consistent and coherent.

The action plan is divided into 3 priorities, including 12 objectives and 32 actions. The 3 priorities represent complementary goals to reduce wildlife trafficking. The 12 objectives and 32 actions cover different dimensions of the action against the illegal wildlife trade. Structurally, the action plan was constructed to cover all aspects of the illegal wildlife trade: (i) root causes; (ii) enforcement; and (iii) international cooperation. As highlighted several times in this evaluation, the action plan was meant to address a complex problem comprehensively, and by involving all relevant actors. It therefore included actions in the EU and in non-EU countries, including source, transit, and destination countries. It also covered actions targeting different kinds of stakeholders in local communities, private companies, and the whole enforcement chain.

The evaluation has not identified significant inconsistencies or a significant lack of coherence. However, it has identified actions which overlap. Action 12, for example, which aims to 'define and assess priority risk regularly', partly overlaps with action 20: 'Regularly assess the threat posed by organised wildlife trafficking in the EU'. There are also overlaps in actions 22 and 23, both of which encourage Member States to align their national legislation with international standards. In addition, although priority 3 was directed at strengthening global partnerships, many other actions under priorities 1 and 2 also had an international scope. Such overlaps are due to the complexity of wildlife trafficking, but they may contribute to the confusion over which actor is responsible for each action.

4.1.3.2 To what extent is the action plan coherent with other EU interventions which have similar objectives, or that employ the same or similar mechanisms?

The action plan was found to be aligned with other related EU interventions on protecting biodiversity, both in its aim and in its mechanisms. Opportunities for further alignment were identified by the Commission where EU interventions had been revised or set up since 2016 (for example the revised Environmental Crime Directive or the Digital Services Act).

The objectives of the 2016 action plan are about biodiversity protection and combating the illegal wildlife trade, while ensuring the sustainable use of wildlife, for the benefit of local communities and economies (including by supporting legal trade in wildlife as a sustainable alternative, if relevant). EU policies related to these topics include at the strategic level the European Green Deal[78] and the EU biodiversity strategy[79]. The main EU environmental legal acts related to biodiversity protection are the Birds and Habitats Directives. EU legislation related to the trade of species includes the EU Wildlife Trade Regulations, the FLEGT Regulation (linked to the FLEGT action plan, the EU Timber Regulations, and the recent

[78] See: A European Green Deal | European Commission (europa.eu)

[79] See: Biodiversity strategy for 2030 (europa.eu)

proposal for the EU deforestation-free products regulation[80]), and the IUU Regulation on illegal, unreported and unregulated fishing. Other policies, existing legislation and proposed legislation directly relevant to the illegal wildlife trade are the Eel Regulation, the Environmental Crime Directive, the environmental compliance assurance action plan, the EU corporate sustainability due diligence directive and the newly proposed asset recovery and confiscation directive.

The illegal wildlife trade falls under one of the European Green Deal's priorities, aimed at protecting biodiversity and ecosystems. The revision of the action plan and the tightening of the rules on the EU ivory trade are targeted in the biodiversity strategy for 2030[81], presented in 2020 as part of the European Green Deal.

The objectives of the 2016 action plan and the Habitats[82] and Birds[83] Directives are complementary in the protection of EU species. Some species targeted by the illegal wildlife trade, such as eels, are also covered by specific EU legislation. The Eel Regulation (Council Regulations (EC) No 1100/2007) provides a framework for the recovery of the eel stock, and in December 2010, EU Member States decided not to allow trade in European eel outside the EU. Although eels are not directly mentioned in the 2016 action plan, they are one of the most lucrative species to trade. Article 12 of the Regulation is about control and enforcement of imports and exports of eels, as part of activities to combat the illegal wildlife trade. Eels are one of the priority species targeted by EMPACT activities, which is in line with the objectives of the 2016 action plan.

The EU forest law enforcement, governance and trade action plan[84] (EU FLEGT action plan), set outs seven measures for the EU and Member States to tackle illegal logging. These measures aim to prevent the import of illegal timber into the EU, improve the supply of legal timber, and increase demand for timber from responsibly managed forests. CITES and the EU Wildlife Trade Regulations include some timber species. The 2016 action plan offers a framework to act on the strengthening of international commitments to fight timber trafficking. The EU FLEGT action plan and the 2016 action plan have similar measures/actions. It is important to continue promoting cooperation between CITES management authorities and competent authorities for both the EU Timber Regulation and FLEGT.

---

80 Proposal for a Regulation of the European Parliament and of the Council, on the making available on the Union market as well as export from the Union of certain commodities and products associated with deforestation and forest degradation and repealing Regulation (EU) No 995/2010, COM(2021) 706 final.

81 Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, EU Biodiversity Strategy for 2030: Bringing nature back into our lives, COM/2020/380 final.

82 Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora.

83 Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds.

84 Communication from the Commission to the Council and the European Parliament - Forest Law Enforcement, Governance and Trade (FLEGT) - Proposal for an EU Action Plan, COM/2003/0251 final.

The IUU Fishing Regulation[85] shares common objectives with CITES in the prohibition of entry into the EU market of illegally harvested fishing products. For example, most species of sharks are listed in Annex II of CITES and therefore also fall under the scope of the action plan. Both instruments have similar mechanisms such as requiring certificates for fishery products imported in the EU to confirm the legality of the fishing activity.

The Environmental Crime Directive (Directive 2008/99/EC on the protection of the environment through criminal law[86]) and the environmental compliance assurance action plan are important initiatives to help implement the objectives of the action plan by: (i) aiming to consider wildlife crime more seriously; and (ii) providing guidance to combat wildlife crime through enforcement, information exchange and capacity building.

The Digital Services Act[87] (DSA) will introduce due diligence obligations for providers of intermediary services, such as online platforms, with the aim of reducing the dissemination of illegal content online. These obligations include, for instance, the ban on targeted adverts for minors or based on sensitive data, strengthening obligations for very large online platforms (i.e. online platforms with more than 45 million users in the EU) to prevent misuse of their systems, and the obligation to have notice and action mechanisms to allow users to flag illegal content. The DSA is a key tool to help the action plan tackle the online illegal wildlife trade. The DSA refers to illegal wildlife trade within their definition of 'illegal content', which can improve the effectiveness of detecting illegal wildlife items and prosecuting those who sell them.

The newly proposed EU corporate sustainability due diligence directive[88] (which includes the Convention on Biological Diversity and CITES Conventions in its scope), as well as the asset recovery directive, (which includes wildlife trafficking in its scope)[89], are other recently proposed instruments that have the potential to further strengthen actions against the illegal wildlife trade.

The COVID-19 pandemic has brought global attention to the issue of the spread of zoonotic disease and the importance of the 'One Health'[90] approach, including in the context of the wildlife trade. As highlighted in the joint press release from CITES and the World Organisation for Animal Health, there is a need to efficiently implement surveillance and

---

85 Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulations (EEC) No 2847/93, (EC) No 1936/2001 and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No 1447/1999.

86 Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law.

87 Proposal for a Regulation of the European Parliament and of the Council on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC.

88 Proposal for a Directive of the European Parliament and of the Council on Corporate Sustainability Due Diligence and amending Directive (EU) 2019/1937.

89 Proposal for a Directive of the European Parliament and of the Council on asset recovery and confiscation, COM(2022) 245 final.

90 'One Health' is an approach to designing and implementing programmes, policies, legislation and research in which multiple sectors communicate and work together to achieve better public health outcomes.

disease-control measures in the wildlife trade in order to protect animal and human health worldwide[91]. The action plan does not cover this issue.

In addition, the fight against the illegal wildlife trade has been successfully integrated into related EU policies. For example, the 'new European consensus on development' states that the EU and Member States 'will address wildlife poaching, illegal trade in wildlife and timber, and the illegal exploitation of other natural resources'[92].

4.1.3.3 To what extent is the action plan consistent with relevant international instruments to which the EU has subscribed?

Overall, the action plan is consistent with relevant international instruments to which the EU has subscribed that are directly linked to the illegal wildlife trade. Moreover, the action plan explicitly fosters consistency with important related international instruments.

The EU and its Member States are signatories to a variety of multilateral environmental agreements (MEAs) and other international instruments, many of which include some provisions related to the illegal wildlife trade. Instruments directly relevant to the illegal wildlife trade include: (i) the United Nations SDGs; (ii) MEAs such as CITES and the Convention on Biological Diversity (CBD); and (iii) the Bern and Bonn Conventions. The action plan also aims to ensure that international commitments in other fora such as the G20 – and linked activities, such as several resolutions on financial issues – are included in EU and Member State legislation.

The 17 SDGs were set in 2015 by the UNGA and are intended to be achieved by 2030. The action plan is fully coherent with Target 15.7 which calls for 'urgent action to end poaching and trafficking of protected species of flora and fauna and address both demand and supply of illegal wildlife products'.

The EU has been an active party to the CITES CoP since it became as a member in 2015. In 2016, at the 17th CoP, the EU: (i) successfully proposed to CITES that it extend its protection to various species which were largely being imported into the EU; and (ii) successfully proposed a resolution[93] which, for the first time in CITES, clearly recognises that corruption is a key enabler for wildlife trafficking and called on CITES parties and bodies to prevent, detect and penalise it. The EU also pushed at the CITES CoP and the CITES Standing Committee meeting in November 2017 for targeted recommendations and sanctions to improve the fight against trafficking ivory, rhino horn, rosewood, and tiger. In January 2019 at CoP18, further proposals were developed and submitted by the EU for endangered species to be added to CITES annexes to improve species conservation and protection. The EU provides specific financial support for implementing CITES CoP decisions and continues to follow up closely on their implementation.

---

91 CITES, "*World Animal Health Organisation (OIE) and CITES agree to collaborate on animal health and welfare issues worldwide to safeguard biodiversity and protect animals*", 12 January 2021.

92 See The New European Consensus on Development: https://www.consilium.europa.eu/media/24004/european-consensus-on-development-2-june-2017-clean_final.pdf

93 CITES-E-CoP17-28

Other relevant MEAs include the CBD, which aims for the conservation and sustainable use of biological diversity. The CBD's draft post-2020 global biodiversity framework features: (i) a target that addresses the harvest, use and trade of wild species of flora and fauna; and (ii) targets that recognise the benefits to conservation and humans resulting from the legal and sustainable use of wild species. These targets are in line with the objectives of the action plan. The Bern Convention on the Conservation of European Wildlife and Natural Habitats protects EU biodiversity; while the Bonn Convention on the conservation of migratory species is in particular linked to conserving birds, fish and other migratory species that are the target of illegal trade, which is also one of the objectives of the action plan.

The action plan explicitly mentions the UN Convention against Transnational Organized Crime and the UNGA resolution on money laundering. Although not all Member States have yet transposed these two instruments into national legislation, Member States are already taking steps towards achieving the goals of these instruments. More recently, on 23 July 2021, the UNGA adopted a Resolution on tackling illicit trafficking in wildlife. The Resolution urges UN Member States to take decisive steps to prevent, combat and eradicate wildlife crime.

The EU contributed to the development and adoption of the Resolution on Illegal Trade in Wildlife and Wildlife Products adopted by the 2nd UN Environment Assembly in 2016, a resolution which is in line with the action plan.

At the Hamburg summit in 2017, and with the involvement of the German presidency, the EU, and other Member States, the G20 committed to focusing its attention on corruption related to the illegal trade in wildlife and wildlife products, as part of its implementation plan for the G20 anti-corruption action plan 2017-2018. This is fully in line with Objective 1.4 of the action plan.

More broadly, the EU and its Member States participate in international cooperation in the fight against illegal wildlife trade through bilateral and multilateral activities. In particular, they participate in the activities led by the ICCWC initiative, which, according to stakeholders, improves international cooperation and has led to key successes.

4.2 4.2 How did the EU intervention make a difference?

4.2.1 4.2.1 What is the European added value of the action plan, compared to what could have been achieved in its absence by Member States at national and/or regional levels, and by international organisations globally?

Many actions against the illegal wildlife trade were occurring in the EU, in Member States, and internationally before the action plan was adopted. However, analysis and stakeholder input have indicated that the action plan has been a broadly well-suited response to the need for organised actions at EU level. Coordination, funding, and political prioritisation are key benefits brought by the action plan, highlighting the EU added value in these areas.

Examples of coordination efforts include the various networks at EU level linked to implementation and enforcement to tackle environmental crime. They also include meetings

of the Expert Group[94] and the Enforcement Group. These meetings make it possible to discuss important aspects of the illegal wildlife trade between relevant authorities of Member States, as well as between relevant actors at the EU level, including Europol and different DGs of the European Commission. As illustrated in Section 3.2, increased cooperation between Member States has also included data sharing, joint action days, joint operations, and joint training through practitioner networks. This coordination at EU level was noted as important during stakeholder consultations. Primarily, this coordination makes it possible for enforcement actors to collaborate in cross-border cases, both operationally (through joint operation days), and through the sharing of information. This sharing of information in turn can help enforcement actors in their work through the gathering of intelligence at an EU-level, enabling more and better targeted action.

More generally, the coordination of actions between Member States at an EU level is important to ensure stronger and more consistent implementation across the single market. According to the Member States, the EU action plan provides guidance for them on how to step up their fight against wildlife trafficking in a coordinated manner. The Member States said that the action plan helps them to target potential weaknesses in enforcement through specific actions, such as: (i) improved compliance at national level with EU wildlife regulations; and (ii) the introduction into national law of relevant provisions, such as those related to organised crime, money laundering and corruption. The EU action plan has also supported the fight against wildlife trafficking through supporting the deployment of substantial EU funding.

Finally, the EU action plan has given the fight against wildlife trafficking a higher level of political priority, both in the EU and globally. Consultations within the Commission have shown the importance of the action plan and its use of EU tools such as the serious and organised crime threat Assessment (SOCTA)[95] and EMPACT. On several occasions, stakeholders said that these tools have ensured the continued allocation of resources and political focus. At the global level, the EU coordination of the response to wildlife trafficking has contributed to raising the profile of the fight against the illegal wildlife trade and in making the EU a key player at international level, recognising its responsibilities as a source, transit, and destination area for illegally traded wildlife.

4.2.2 4.2.2 TO WHAT EXTENT DOES THE PLAN COMPLY WITH THE PRINCIPLES OF SUBSIDIARITY AND PROPORTIONALITY? WHAT HAS BEEN THE ROLE OF –AND IMPACT ON – LOCAL AND REGIONAL AUTHORITIES?

Wildlife trafficking takes different forms in different Member States and requires adapted approaches to tackle the challenges at hand. However, coordination and cooperation between Member States is key in the single market. A high degree of coordination and cooperation is necessary to ensure a common and consistent implementation of rules, and to avoid loopholes

[94] The Expert Group is group of experts of the competent CITES Management Authorities composed of representatives from Member State Management Authorities and chaired by the Commission. The role of this expert group is to provide advice and expertise to the Commission and its services in relation to issues related to the EU rules on trade in species of wild fauna and flora which do not fall under the competence of the Committee on Trade in Wild Fauna and Flora.

[95] The Serious and Organised Crime Threat Assessment (SOCTA) updates Europe's law enforcement community and decision-makers on such developments in serious and organised crime and the threats it poses to the EU.

in certain Member States being problematic for other Member States. At the same time, the action plan is also sufficiently flexible to allow Member States to prioritise actions that are most relevant to them, whether through drawing up a national action plan or through mechanisms that improve the coordination and prioritisation of actions.

4.3 4.3 IS THE INTERVENTION STILL RELEVANT?

4.3.1 4.3.1 TO WHAT EXTENT IS THE ACTION PLAN STILL RELEVANT AND TO WHAT EXTENT DO ITS (ORIGINAL) OBJECTIVES STILL CORRESPOND TO THE NEEDS WITHIN THE EU?

The action plan was created as a tool to catalyse and harmonise EU action against the illegal wildlife trade. As the illegal wildlife trade remains an important threat to biodiversity and security both worldwide and in the EU, the action plan remains an important and relevant tool.

The EU remains an important space for the illegal wildlife trade, as pointed out in Europol's recent report, which stated the following:

Criminal networks operating in Europe traffic both exotic fauna (i.e. tigers, leopards, rhinos, narwhals, whales, elephants, devilfish, toucans, parrots, iguanas, insects, lizards, snakes, frogs, etc.) and exotic flora (especially cacti), some of which are commonly traded under the label of medicinal products. Traffickers operating in Europe are increasingly targeting less monitored endemic non-CITES listed species, which are trafficked to both EU and non-EU destinations. The illegal trafficking of European eels alone generates EUR 2 to 3 billion in yearly criminal profits[96].

According to IPBES, direct exploitation of animals and plants (which includes exploitation for trade) has had the second largest relative negative impact on nature (after land-use change)[97]. Therefore, regulating the international wildlife trade and keeping it within sustainable levels remains important as biodiversity is being lost across the globe. This sentiment is also reflected in the European Green Deal.

Wildlife trafficking also continues to change over time due to: (i) changes in consumer interests; and (ii) smugglers adapting the methods they use to ship their contraband to routes perceived as less risky or in reaction to increasing enforcement effort/policy changes in given areas. There is increasing evidence of the involvement of organised criminal groups in wildlife trafficking[98]. Therefore, there is a continued need to respond to this dynamic landscape in a coordinated manner.

Overall, the actions put forward in the 2016 action plan are essential to tackling the illegal wildlife trade. Improvements in the fight against the illegal wildlife trade have been reported by Member States since 2016, including: (i) increased seizures and arrests; (ii) new CITES

---

96 Europol, *Environmental Crime in the Age of Climate Change - Threat assessment 2022*, Publications Office of the European Union, Luxembourg, 2022.

97 IPBES, *Global assessment report of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services*, Brondízio, E. S.,Settele, J., Díaz, S., Ngo, H. T. (eds). IPBES secretariat, Bonn, Germany, 2019.

98 Europol, *Environmental Crime in the Age of Climate Change - Threat assessment 2022*, Publications Office of the European Union, Luxembourg, 2022.

resolutions; (iii) awareness-raising campaigns; (iv) projects in source countries; and (v) many other activities. Despite these improvements, the international wildlife trade remains a serious threat to biodiversity, the rule of law and sustainable development.

Evaluation of each action did not identify any action that is no longer relevant or no longer needed at this stage. On the contrary, stakeholder consultations repeatedly highlighted the continued relevance of the 2016 action plan.

The continued relevance of the action plan is also demonstrated by the growing international interest in the fight against wildlife trafficking. As discussed in Section 4.1.3.3, the action plan aligns with many international goals and commitments, including the SDGs, the CBD's draft post-2020 global biodiversity framework, and of course the ongoing objectives of CITES.

At the level of the EU itself, the action plan remains a core part of the 2030 biodiversity strategy, which itself is a key deliverable of the Green Deal. Environmental crime, including wildlife and timber trafficking, was for the first time incorporated as an EU priority for the fight against organised crime for the EU's 2018-2021 SOCTA policy cycle, and again for the 2022-2025 policy cycle.

4.3.2 4.3.2 How flexible has the Plan been in responding to new issues?

Analysis of actions undertaken have shown that the priorities, objectives, and actions of the 2016 action plan provide a comprehensive approach to tackling the various facets of the illegal wildlife trade. No stakeholders or Member States reported a problem with the flexibility of the action plan. Indeed, the variety and scope of actions that have occurred in the EU fight against wildlife trafficking since 2016 suggests that the plan is broad and flexible enough to allow for a wide range of approaches and actions. On the other hand, the action plan's broad and comprehensive approach may have contributed to a lack of prioritisation or focus and, subsequently, to the persistent lack of skilled staff and financial resources in actions against wildlife trafficking. Three main areas have been identified where action could be strengthened. These three areas are set out in the paragraphs below.

(1) **Continued strengthening of enforcement, with a particular focus on applying proportionate and dissuasive sanctions.** This means ensuring that all Member States: (i) apply strict rules; (ii) share case-law and best practices; and (iii) ensure continuous specialised training for all actors in the enforcement chain, with a particular focus on prosecutors and the judiciary. These actions will ensure that wildlife trafficking is not only detected but also that it is appropriately sanctioned.

(2) **Ensuring the meaningful and purposeful involvement of all relevant actors, including – but not limited to – private companies (in particular courier and transport companies), pet traders, and civil society.** Civil society and the private sector are two key actors in combating the illegal wildlife trade and are potentially important allies for implementing the action plan. Several actions and objectives identify the importance of engaging with business sectors and civil society. However, progress in this area is difficult to track, and there are no structures for involving civil society and the private sector further in the implementation of the action plan.

(3) **Focus on the following three under-addressed issues: (i) wildlife crime linked to the internet; (ii) the 'One Health' approach; and (iii) tracking financial flows. The following paragraphs examine each of these issues in turn.**

Wildlife crime linked to the internet

The 2018 progress report mentions that the online trade in wildlife was an issue needing more investigation. As early as 2017 in China, based on TRAFFIC's routine online monitoring, a shift was revealed in the illicit trade in wildlife products from physical markets to e-commerce marketplaces and onto social media platforms. This prompted internet companies in late 2017 to sign a charter pledging to address online wildlife trafficking. These companies also discussed adopting a standard operating procedure for providing guidance to internet companies on how to detect, prevent and deal with information related to the illegal wildlife trade[99]. Unfortunately, since the inception of the action plan, the trafficking of wildlife using online platforms has continued to increase, including during the COVID-19 pandemic. Although some EU funded projects, such as the EU wildlife cybercrime project[100] have already been implemented, more needs to be done. Many interesting initiatives have been implemented from which the EU could take inspiration, such as the Coalition to End Wildlife Trafficking Online, set up by TRAFFIC, WWF and IFAW. In 2021, the Coalition to End Wildlife Trafficking Online: (i) engaged 47 companies; (ii) blocked or removed more than 11.6 million posts about illegal wildlife and wildlife products; (iii) trained more than 2 000 staff; and (iv) reported more than 11 000 listings for illegal wildlife and wildlife products[101].

The 'One Health' approach

The COVID-19 crisis is widely thought to have arisen from a virus in wild animals that passed to humans through contacts between wild animals, domestic animals, and humans, including in food markets. This crisis has reminded humanity of the links between biodiversity protection, the wildlife trade, animal health and human health. The adoption of a 'One Health' approach that considers human, animal, and environmental health as a single issue, including through stricter control of wildlife trade, is widely advocated to combat as effectively as possible future zoonosis and pandemics.

Tracking of financial flows

An important area of increased interest in the fight against wildlife trafficking is the tracking of illicit financial flows. The 'follow-the-money' approach enables enforcement to go beyond singular cases of trafficking and to identify and punish trafficking and organised crime networks. Although actions in the action plan address the links between wildlife trafficking and organised crime, these actions are not always sufficiently effective.

---

99 TRAFFIC, '*Chinese internet giants launch alliance to combat wildlife cybercrime'*, 2 November 2017.

100 Project factsheet available from: https://cites.org/sites/default/files/I/EU%20WWF%20PROJECT%20-%20Wildlife%20Cybercrime%20project%20factsheet.pdf

101 Coalition to end wildlife trafficking online, *Coalition to end wildlife trafficking online: 2021 progress update*, 2021.

5 5 WHAT ARE THE CONCLUSIONS AND LESSONS LEARNED?

5.1 5.1 CONCLUSIONS

The action plan has raised the profile of the fight against the illegal wildlife trade and contributed to increased efforts to tackle it. However, assessing the achievements of the action plan and its priorities is challenging due to the lack of a baseline, the difficulty of establishing a monitoring and evaluation framework, and the lack of key measurable/performance indicators. Efforts to tackle the illegal wildlife trade were already being implemented before the adoption of the action plan, at both Member State and EU levels. In addition, while many actions have been quite successful, the illegal wildlife trade is unlikely to be stopped in the near future.

Despite these limitations, the evaluation has identified progress in all areas of the action plan since 2016. The action plan has been a crucial tool to coordinate the many aspects of the fight against wildlife trafficking and to raise the profile of this fight at Member State level, within the EU, and internationally. Although it is difficult to assess the extent to which this progress is attributable to the action plan itself, there are indications that the approach in the action plan remains a valid comprehensive framework for tackling the fight against wildlife trafficking in the EU and its Member States.

However, the comprehensive and ambitious nature of the action plan does present its own challenges. The primary challenges to implementation identified by stakeholders were the persistent lack of skilled staff and money, and the action plan's wide-ranging scope. Member States said that they often lacked the time and staff to implement actions and faced difficulties in coordinating action between different authorities and actors at a national level, as well as in reporting.

5.2 5.2 LESSONS LEARNED

The action plan's focus on implementability and on aligning existing actions, tools and processes has likely contributed to improved coordination and raised the political priority of the fight against wildlife trafficking.

The action plan is comprehensive and ambitious. The focus on tackling the illegal wildlife trade from source to consumer, engaging actors at all levels and along the chain – although the engagement of civil society could be made more systematic – makes it possible to address the issue from all angles.

The main barrier to the success of the action plan has been a lack of resources, both at EU and Member State levels. There is an **urgent and continuing need for more resources and skilled staff to combat wildlife trafficking within the EU**. The **wide scope and comprehensive nature** of the action plan was identified by stakeholders as one of its major strengths. Focus should not be put, therefore, on reducing the ambition of the action plan, but rather on matching that ambition with the sufficient allocation of resources.

At the same time, given limited resources, the fact that the action plan has tapped into existing EU and Member State efforts and responsibilities in the fight against wildlife trafficking seems to have been a factor in its success. The action plan must use resources in a smart way: (i) focusing on key issues where EU action can be harnessed for the greatest impact; (ii) using modern technology; and (iii) ensuring coordination so no effort is wasted.

There is a need to develop a well-designed reporting, evaluation, and monitoring framework for the implementation of the action plan. This should provide an overview of implementation at EU and national levels and capture the impacts of this implementation. This framework should also consider the available financial and human resources at both the EU and national levels and use existing tools and reporting mechanisms where possible.

Efforts to combat wildlife trafficking online must be strengthened. Although the action plan has helped the authorities to act against online wildlife trafficking, stakeholders repeatedly reported that this action was inadequate. In addition, **the action plan must continue to respond to new trends**, aligning in particular with efforts elsewhere in the world, such as aligning with the focus on tracking financial flows to tackle the organised crime aspect of wildlife trafficking, and the increasingly recognised need to ensure that measures taken under the action plan align with a 'One Health' approach.

There is a need for greater cooperation within the EU, including between the European Commission and EU agencies. This would help to promote effective cooperation on shared issues, which include online trade, customs monitoring, international cooperation, and enforcement. The fight against wildlife trafficking should be further mainstreamed into relevant policy areas.

Stakeholders must be engaged in the implementation of the action plan. Greater engagement with external stakeholders, including civil society, the business sector, and expert groups will help to: (i) improve enforcement and cooperation in implementation; and (ii) pool collective knowledge/experience to ensure that this implementation is effective. At the international level, it is crucial that indigenous people, local communities, women, and young people are engaged in all wildlife conservation programmes.

Member States should be encouraged to adapt the action plan to their national context, to ensure stronger implementation, higher prioritisation, and improved inter-agency collaboration at the national level.

Efforts to improve the detection of wildlife trafficking need to be matched by an increase in **appropriate and dissuasive sanctioning.** To achieve this, funding and training of public prosecutors and the judiciary must be strengthened, with a view to creating specialised forces and bodies that are able to respond to the threat of wildlife trafficking.

ANNEX I: PROCEDURAL INFORMATION

Lead

DG Environment has led this evaluation which is included in Decide under PLAN/2019/6139.

Organisation

DG Environment has carried out the evaluation in consultation with the Interservice group (ISG) on Wildlife Trade. The ISG consists of the following DGs/services: AGRI, CNECT, FISMA, FPI, HOME, INTPA, JUST, LS, MARE, OLAF, RTD, SANTE, SG, TAXUD, TRADE and the EEAS.

Timeline

Signature of **contract**	5 October 2020
Kick-off meeting of Interservice Group (**ISG**)	16 October 2020
Launch of **open public consultation**[102] (OPC – 12 weeks)	5 October-28 December 2021
Targeted expert consultation	25 October-28 December 2021
Publication for feedback of the action plan revision roadmap[103]	5 October-2 November 2021
Written consultation of **ISG** on the inception report	28 October 2021
Analysis of replies to the OPC	February 2022
Written consultation of **ISG** on technical analysis of the OPC and targeted expert consultations	22 February 2022
Online workshop with stakeholders and Member States (to present and discuss initial consultation findings)	16 March 2022
Meeting of ISG	29 March 2022
CITES Enforcement Group	27 April 2022
Written consultation of **ISG** on draft evaluation	25 May 2022
Drafting of evaluation and revised **action plan**	June-August 2022
Adoption and publication of the **Communication** for a revised action plan and evaluation (**SWD)**	By end of October 2022

Although the initial adoption of the action plan was planned for late 2021, it had to be postponed to 2022.

External expertise

The evaluation[104] was conducted by an external consultant through a DG ENV framework contract. The deliverables were generally of limited quality and provided late. The contract therefore had to be extended and the adoption of the evaluation postponed.

---

[102] See: https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12675-Preventing-illegal-trade-in-wildlife-revision-of-EU-action-plan/public-consultation_en

[103] See: https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12675-Preventing-illegal-trade-in-wildlife-revision-of-EU-action-plan_en

[104] European Commission, Directorate-General for Environment, *Study to support the Evaluation and Revision of the EU Action Plan against Wildlife Trafficking*, Publications Office, 2022

ANNEX II: METHODOLOGY AND ANALYTICAL MODELS USED

Methodology

The Commission and external contractors (Bio Innovation Service) coordinated various consultation activities between October 2021 and March 2022 as part of the evaluation of the EU Action Plan against Wildlife Trafficking (EU action plan). These consultation activities aimed to understand the progress made within the three priority areas of the EU action plan and how the actions could be improved by identifying: (i) best practices; (ii) the actions that were not successful; (iii) lessons learnt; and (iv) identification of possible changes.

In addition to these consultation activities, the EU action-plan evaluation exercise was regularly presented and discussed in various meetings organised by the Commission, such as the Interservice Group (ISG), the EU Wildlife Trade Enforcement Group, and the Expert Group. To cope with both the lack of data available to make a quantitative evaluation and the comprehensive nature of the action plan, the evaluation was designed to draw on the collective experience and knowledge of the widest variety of relevant stakeholders.

Draft versions of the evaluation were shared within the ISG to gather input from the Commission. Where substantial input was required, bilateral meetings were organised between the relevant services and DG Environment.

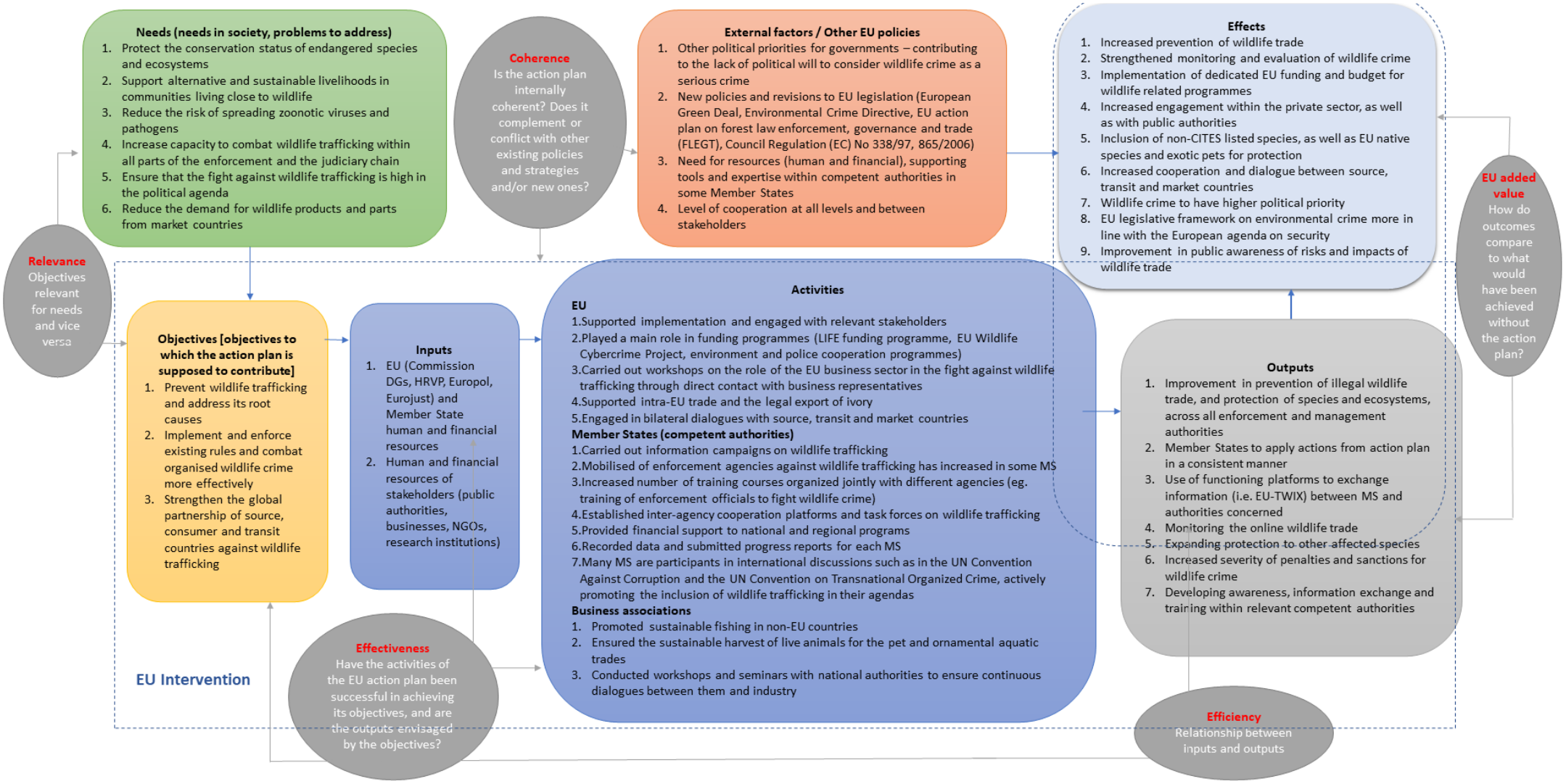
Data

Where available, publicly available data were used to supplement consultations. These data were drawn mainly from the following three types of sources:

1. reports from respected international institutions and NGOs working on wildlife trafficking;
2. reports from EU bodies and agencies (for example Europol);
3. yearly reports on legal and illegal trade from Member States, as reported by UNEP-WCMC and TRAFFIC, respectively.

It should be noted that data on wildlife trafficking are only suggestive of trends, and cannot be used to accurately identify the impact of action against wildlife trafficking on the illegal wildlife trade. Many factors (such as resource investment by Member States, the geographical patterns of wildlife trafficking, or disproportionate interest by consumers or enforcement authorities in specific species or sectors) can influence the data available and what they can tell us. In addition, the scope of the action plan goes beyond simple seizures. The action plan seeks to address the root causes of wildlife trafficking, as well as to strengthen enforcement beyond seizures. For this reason, data were used for illustrative rather than purely analytical purposes. This was supported by a literature review conducted by the consultants and the Commission. The evaluation centred mainly around discussions held at consultations and meetings.

Figure 2 - Intervention logic diagram provided by external consultants



Open public consultation (OPC)

The OPC was open for 12 weeks, from 5 October 2021 to 28 December 2021. The OPC questionnaire was uploaded to the EU's 'Have Your Say portal', and the questionnaire was available in all the EU's official languages. The questionnaire was open to all EU citizens and organisations interested in the EU action plan against wildlife trafficking. Respondents were able to respond to the questionnaire as individuals or on behalf of an organisation/institution.

The OPC aimed to gather evidence and opinions on the effectiveness, efficiency, coherence, relevance and EU added-value of the EU action plan against wildlife trafficking.

The OPC contained 24 questions split into 214 sub-questions, of which 191 were closed-ended, and 23 were open text. The questionnaire was structured around the following specific topics: (i) raising awareness of the illegal wildlife trade; (ii) the extent of stakeholder actions/responsibilities/burdens in tackling the illegal wildlife trade; (iii) the extent of Member State implementation of the action plan and effective enforcement against the illegal wildlife trade; (iv) the effectiveness of monitoring and reporting measures; (v) perceptions of trends related to the illegal wildlife trade since 2016 at the national, EU, and international levels; and (vi) the extent to which further work is needed to tackle the illegal wildlife trade.

Targeted expert consultations

The consultation strategy included the following five main elements:

- stakeholder identification and mapping;
- a targeted stakeholder survey with key stakeholders and experts to gather more detailed information;
- interviews with selected stakeholders to clarify and/or complement the information received through the targeted stakeholder survey;
- a workshop.

The targeted consultation of stakeholders had the two-fold objective of: (i) collecting missing data required for evaluating the action plan; and (ii) using the material collected to complement the literature review and the OPC. The targeted consultations were conducted along the following eight themes, which were identified from the objectives, priorities, and actions of the EU action plan:

1. awareness raising;
2. supporting community engagement in tackling illegal wildlife trade;
3. capacity building and training for Member States authorities and institutions;
4. strengthening compliance with legislation and improving enforcement;
5. strengthening cooperation;
6. strengthening legislation;
7. improving knowledge and monitoring of illegal wildlife trade;
8. raising the profile of the fight against illegal wildlife trade.

The targeted expert consultation included two activities: a targeted expert survey and stakeholder interviews. The targeted expert survey was open for 8 weeks from 28 October 2021 to 28 December 2021. The stakeholder interviews were then conducted with those experts who agreed to be contacted and interviewed. These were scheduled and conducted after the targeted expert survey's deadline, during January 2022.

Stakeholder workshop

To complement the OPC and the targeted expert consultations (targeted expert survey and stakeholder interviews), an online stakeholder workshop was organised to present the preliminary findings of the consultation activities. The goal of this workshop was to update stakeholders on the state of the evaluation of the EU action plan and to identify possible measures/options for its revision based on input received during the consultations and any additional evidence provided by stakeholders.

There were 67 participants at the stakeholder workshop. The stakeholder groups included: management authorities (31.3%, 21/67); enforcement agencies (10.4%, 7/67); NGOs (25.4%, 17/67); international organisations (IOs) (10.4%, 10/67); European institutions (EIs) (8.9%, 6/67); business associations (2.9%, 2/67); companies (2.9%, 2/67); industry associations (4.4%, 3/67); lobby groups (1.5%, 1/67); academic/research institutions (1.5%, 1/67).

Stakeholders from EU and non-EU states participated as follows: Austria (4.5%, 3/67), Belgium (10.4%, 7/67), Croatia (1.5%, 1/67), Czech Republic (2.9%, 2/67), Finland (1.5%, 1/67), France (10.4%, 7/67), Germany (10.4%, 7/67), Greater Mekong region[105] (1.5%, 1/67), Italy (1.5%, 1/67), Latvia (1.5%, 1/67), Netherlands (5.9%, 4/67), Poland (2.9%, 2/67), Portugal (1.5%, 1/67), Slovakia (1.5%, 1/67), Slovenia (1.5%, 1/67), Spain (4.5%, 3/67), United Kingdom (1.5%, 1/67), USA (1.5%, 1/67). The remaining stakeholders represented European organisations (13.4%, 9/67) and international organisations (19.4%, 13/67).

The discussions were focused on the three priorities of the EU action plan. Each priority was discussed in four breakout groups, and each group had a moderator and rapporteur. The groups identified the strengths and weaknesses of the EU action plan and ideas for its improvement.

Commission meetings

A meeting of the ISG was held on 29 March 2022. At this meeting, the outcomes of the previous consultations and the stakeholder workshop were summarised, and initial impressions and input were shared by the DGs present.

The EU Wildlife Trade Enforcement Group met on 27 April 2022. At this meeting, enforcement officers from Member States were presented with a structured list of enforcement-specific questions, and asked to share their experiences. The subjects covered were: (i) implementation of the action plan at national level; (ii) information sharing and risk profiling between national agencies and between Member States; (iii) training along the enforcement chain, with a focus on judges and prosecutors; (iv) addressing online wildlife trafficking; (v) digital tools that help with enforcement; and (vi) how the EU could deal with nationally protected species that are illegally traded in the EU.

The Expert Group met on 1 July 2022. At this meeting, Member States were asked to react to outcomes of the evaluation, and possible ways forward for a revised action plan.

In addition, draft versions of the evaluation were shared with the ISG between May and July 2022, gathering substantial written input.

[105] Cambodia, Laos, Myanmar, Thailand, Vietnam, and China.

ANNEX III: EVALUATION MATRIX

Note: This evaluation matrix was before the start of consultations. Where the evaluation questions have been edited or abandoned, a small note has been added.

Effectiveness

The effectiveness criterion assesses how successful the action plan has been in achieving or progressing towards its objectives. It will cover the seven evaluation questions identified in the terms of reference (ToR) as presented in the evaluation matrix below.

Sub-questions	Assessment criteria	Indicators	Data-analysis approach	Data sources/ Data-collection methods
1. To what extent have the three priorities and their corresponding objectives been met?				
Progress made in EU as a whole? Progress made in different Member States? To what extent does the progress match the objectives of the action plan (in terms of timeline)? To what extent can the achieved results/effects be	Examining enforcement effort in the Member States Performance of Member States in integrating action plan objectives into national policies Performance of Member States in implementing these national policies	Whether wildlife crime has been a priority since 2016, allocation of resources available for the Member States in tackling wildlife crime, number of operations and investigations conducted, etc. Change in legislation, policies, and practices in Member States. The role of the EU and	Qualitative discussion based on logical analysis of the collected evidence and input from stakeholder consultation on whether the actions are all working together towards delivering the objectives Assessment of, for example, stakeholder views and literature consensus on the extent to	Desk research Literature review OPC questionnaire Targeted consultation: Stakeholder (expert) questionnaire

Sub-questions	Assessment criteria	Indicators	Data-analysis approach	Data sources/ Data-collection methods
credited to the action plan?	If any objectives of the action plan not achieved (or partially achieved) Has there been more focus on specific objective(s)? Difference between results and expectations	Member States in international fora View of both stakeholders and Member State authorities International organisation's view List of drivers (e.g. political support, active research community) and barriers List of effects / expectations Group expected and unexpected effects	which results can be credited to the action plan	Stakeholder interviews
2. What factors have contributed to or hindered their achievement?				

Sub-questions	Assessment criteria	Indicators	Data-analysis approach	Data sources/ Data-collection methods
To what extent are the provisions of the action plan sufficient to contribute to the good implementation of its objectives? Other contributing factors? Hindrance factors? Missed opportunities?	Factors affecting the achievement: Compliance and enforcement Technical Legal Economic	– National legislation, policies, and practices – View of both stakeholders and Member State authorities – International organisations – New techniques for seizures (e.g. for ivory) – Arrests and prosecutions – Provision of resources – Penalties imposed and other deterrents	Qualitative discussion based on logical analysis of the collected evidence and input from stakeholder consultation on the factors that have contributed to or hindered their achievement	Desk research Literature review OPC questionnaire Targeted consultation: Stakeholder (expert) questionnaire Stakeholder interviews Stakeholder feedback Environmental Crime Evaluation, if published soon (as expected) should also be a useful source of information. Another useful source of information will be any information on EMPACT or any information from Europol/DG HOME (with ECD, EMPACT environmental crime priority all being

Sub-questions	Assessment criteria	Indicators	Data-analysis approach	Data sources/ Data-collection methods
				synergistic initiatives).
3. To what extent have the actions listed in the action plan been carried out, and what has been their (quantitative and qualitative) impact, especially in reducing the ILLEGAL WILDLIFE TRADE? **NB: Question merged with Q1.**				
Progress made in actions. Qualitative effects? Quantitative effects?	Progress of action (achieved by the timeline indicated, achieved partially, or not achieved at all)	– National legislation, policies, and practices – View of stakeholders and Member State authorities – Arrests and prosecutions – Penalties imposed and other deterrents	Qualitative discussion of action's implementation in Member States based on logical analysis and input from stakeholders on the trafficking pattern Quantitative analysis of the data on poaching and availability of products sourced from wildlife trafficking	Desk research Literature review OPC questionnaire Targeted consultation: Stakeholder (expert) questionnaire Stakeholder interviews
1. Have there been any unintended or unexpected effects of the action plan? What are they?				

Sub-questions	Assessment criteria	Indicators	Data-analysis approach	Data sources/ Data-collection methods
NB: Insufficient data to answer question.				
Unintended effects? Unexpected effects?	Unintended effects of each action (Yes/No, if Yes, what are those effects)	– National legislation, policies, and practices – View of stakeholders and Member State authorities – Arrests and prosecutions – Penalties imposed and other deterrents	Qualitative discussion of action's implementation in Member States based on logical analysis and input from stakeholders on the trafficking pattern Quantitative analysis of the data on poaching and availability of products sourced from wildlife trafficking	Desk research Literature review OPC questionnaire Targeted consultation: Stakeholder (expert) questionnaire Stakeholder interviews
5. How effective has the reporting and monitoring of progress towards action plan objectives (and/or actions listed in the action plan) been?				
How timely is the process for reporting and	Content of reporting Monitoring plans in	Monitoring frequency	Qualitative discussion on reporting and monitoring requirements across	Questionnaires and interviews with EU and

Sub-questions	Assessment criteria	Indicators	Data-analysis approach	Data sources/ Data-collection methods
monitoring? How efficient is the process for reporting and monitoring?	Member States		Member States based on logical analysis and input from stakeholders	national authorities OPC
6. Did the action plan encourage cooperation between Member States? If so, to what extent? **NB: Merged with question 1**				
What measures were applied by Member States? How effective were the cooperative inspections/ investigations by the Member States?	Cooperation actions taken by Member States	Views on inspections/investigations and success rate (best practices from specific Member States) MS involvement in EMPACT OAPs Number of Member States which initiated the actions Number of inspections/investigations,	Qualitative discussion on reporting and monitoring requirements across Member States based on logical analysis and input from stakeholders Assessment of stakeholder views	Desk research Literature review OPC questionnaire Targeted consultation: Stakeholder (expert) questionnaire Stakeholder interviews

Sub-questions	Assessment criteria	Indicators	Data-analysis approach	Data sources/ Data-collection methods
		and whether this number represents an increase/decrease compared to the period before the action plan		
7. To the extent that significant divergences in implementation remain between Member States, what are those divergences and what is causing them? Are such divergences influencing the achievement of the three priority objectives of the action plan? **NB: Merged with question 2**				
	National legislation and voluntary initiatives	The implementation measures through which the action plan was fulfilled i.e. through existing/new legislation or by a voluntary approach	Qualitative discussion on implementation across Member States based on logical analysis and input from stakeholders	Desk research Legal analysis that would illustrate divergences in the implementation of the action plan Literature review OPC questionnaire

Sub-questions	Assessment criteria	Indicators	Data-analysis approach	Data sources/ Data-collection methods
				Targeted consultation: Stakeholder (expert) questionnaire Stakeholder interviews
8. How has implementation of the action plan been affected by relevant initiatives, including stricter domestic measures, at Member State level? **NB: Insufficient data to answer question.**				
How the implementation has been affected by the ECD? How has EMPACT affected implementation?	National legislation and voluntary initiatives Increased exchange between Member States officials	The implementation measures through which the action plan was fulfilled i.e. through existing/new legislation or by a voluntary approach Less formal steps that were taken (e.g. improved inter-agency coordination) in one Member States but not	Qualitative discussion on implementation across Member States based on logical analysis and input from stakeholders	MS-level measures are clearly important (see above point) and these would need to be explored in the stakeholder consultation Desk research Legal analysis Questionnaires and

Sub-questions	Assessment criteria	Indicators	Data-analysis approach	Data sources/ Data-collection methods
		in another could also cause differences		interviews with EU and national authorities OPC

Efficiency

The efficiency criterion will analyse the relationship between the resources used by the action plan and its impacts (positive or negative). The implementation differences in Member States will be analysed to understand the influence of these differences on the impacts of the implementation, and whether these differences show that the same benefits were achieved at less cost in one or more Member States (or whether greater benefits were produced at the same cost). The efficiency analysis will look closely at both the costs and benefits of the action plan on different stakeholders. It will cover the seven evaluation questions recommended in the ToR as presented in the evaluation matrix below.

Sub-questions	Assessment criteria	Indicators	Data-analysis approach	Data sources/Data-collection methods
1. To what extent have actions under the action plan been cost-effective?				
To what extent has the action plan been cost-effective? Are the costs related to the action plan proportionate to the benefits?	Cost-effectiveness Proportionality	Costs and benefits for different stakeholders (society, health, economy, environment)	Costs for different actions (in particular, the enforcement costs) will be compared with the benefits. Benefits are more difficult to measure quantitatively. In the absence of quantitative data, semi-quantitative and qualitative approaches will be applied, including a comparison with other policies.	Desk research Literature review OPC questionnaire Targeted consultation: Stakeholder (expert) questionnaire Stakeholder interviews

Sub-questions	Assessment criteria	Indicators	Data-analysis approach	Data sources/Data-collection methods
2. What are the overall costs and benefits of the action plan's implementation? **NB: Merged with question 1.**				
Costs Benefits	Calculation of (total) costs and quantification and monetisation of benefits	Costs of implementation, compliance, enforcement in the EU, and development aid to non-EU countries Benefits in terms of seizures, prosecutions and reduction in trafficking volumes	Costs for different actions (in particular, the enforcement costs) will be compared with the benefits. Benefits are more difficult to measure quantitatively. In the absence of quantitative data, semi-quantitative and qualitative approaches will be applied, including a comparison with other policies.	Desk research Literature review OPC questionnaire Targeted consultation: Stakeholder (expert) questionnaire Stakeholder interviews Cost-benefit analysis tools
3. To what extent are the costs proportionate to the benefits it has generated? What factors are influencing any particular discrepancies between				

Sub-questions	Assessment criteria	Indicators	Data-analysis approach	Data sources/Data-collection methods
costs and benefits? How do these factors link to the action plan itself? **NB: Merged with question 1.**				
Do the benefits outweigh the costs? Is there any evidence that the implementation of the action plan has caused unnecessary regulatory burden or complexity for Member States? Are there any good or bad practices that can be identified in terms of efficiency in achieving results? How efficient is the exchange of information between the Member	Case studies or other evidence on increased burden or complexity Presence/absence of such practices	No specific indicators	Qualitative analysis Costs for different actions (in particular, the enforcement costs) will be compared with the benefits. It is important to understand the relationship between costs and actions in order to evaluate and assess proportionality of the action plan (i.e. if costs are too high and benefits are too low, different measures are needed within the action plan) Benefits are more difficult	Desk research Literature review OPC questionnaire Targeted consultation: Stakeholder (expert) questionnaire Stakeholder interviews

Sub-questions	Assessment criteria	Indicators	Data-analysis approach	Data sources/Data-collection methods
States?	Increase/decrease in collaboration could reflect the efficiency of exchanges		to measure quantitatively. In the absence of quantitative data, semi-quantitative and qualitative approaches will be applied, including a comparison with other policies.	
4. To what extent do factors linked to the intervention influence the efficiency with which the observed achievements were attained? What other factors influence the costs and benefits of the action plan?				
External factors Internal factors	Presence/absence of other factors and their impact	Variables used in cost-benefit analysis	Uncertainty of the data used for the key variables in cost-benefit analysis	Desk research Literature review OPC questionnaire Targeted consultation: Stakeholder (expert) questionnaire

Sub-questions	Assessment criteria	Indicators	Data-analysis approach	Data sources/Data-collection methods
				Stakeholder interviews Partial equilibrium models
2. How proportionate were the costs of the intervention borne by different stakeholder groups, taking into account the distribution of the associated benefits? **NB: Insufficient data to answer question.**				
Different stakeholder types	Calculation of costs /benefits borne by different stakeholders	Cost and benefits	Distribution of costs vs benefits	Desk research Literature review OPC questionnaire Targeted consultation: Stakeholder (expert)

Sub-questions	Assessment criteria	Indicators	Data-analysis approach	Data sources/Data-collection methods
				questionnaire Stakeholder interviews Partial equilibrium models
6. Are there opportunities to simplify a revised action plan or reduce unnecessary costs without undermining the intended objectives? What are these opportunities? **NB: Reworded for clarity**				
Reducing regulatory costs for Member States (inspection, compliance, enforcement)	Difference in the way different actions are implemented in Member States	Regulatory costs	Quantitative analysis of the impact of Member States actions on regulatory costs Feedback from	Desk research Literature review OPC questionnaire

Sub-questions	Assessment criteria	Indicators	Data-analysis approach	Data sources/Data-collection methods
			stakeholders.	Targeted consultation: Stakeholder (expert) questionnaire Stakeholder interviews
7. If there are significant differences in costs (or benefits) between MS, what is causing these significant differences? How do these differences link to the design of the action plan? **NB: Insufficient data to answer question.**				
	Variation in costs and benefits across Member States	- Different types of costs - Different types of benefits	Semi-quantitative discussion of costs and benefits across Member States based on logical	Desk research Literature review

Sub-questions	Assessment criteria	Indicators	Data-analysis approach	Data sources/Data-collection methods
			analysis and input from stakeholders Quantitative analysis of data on the illegal wildlife trade	OPC questionnaire Targeted consultation: Stakeholder (expert) questionnaire Stakeholder interviews

The efficiency criterion will analyse further the benefits and costs of the action plan on society/health, the economy, and the environment (in particular biodiversity).

This analysis will also take into consideration technological developments (e.g. specific inspection tools and methods to detect ivory content) – including research and development – to improve compliance and enforcement in order to reduce the related costs.

Coherence

The questions this criterion seeks to answer are: 'To what extent are the elements of the intervention logic complementary, mutually supportive and non-contradictory?' and 'To what extent do the objectives and activities support or contradict those of other public interventions?'. This means that the assessment of coherence looks at how well different actions work together, and thus points to synergies as well as to areas where there are potentially contradictory objectives or approaches that may cause inefficiency. It is important to assess whether EU intervention is coherent: (i) internally (i.e. within the action plan itself); (ii) with other EU legislation; and (iii) with other EU policy initiatives. The evaluation will point out areas where there might be possible tensions, such as contradictory approaches or inconsistencies, and will develop a set of recommendations to increase the coherence of actions, if needed.

As set out in the ToR, the evaluation of coherence needs to look at both internal and external coherence and consider the specific elements in the table below, which build on the findings from other parts of the evaluation (e.g. the evaluation of relevance).

Sub-questions	Assessment criteria	Indicators	Data-analysis approach	Data sources/Data-collection methods
1. To what extent is the action plan coherent with other EU interventions which have similar objectives?				
For each intervention other than the EU action plan - How do the objectives, provisions and	For each intervention other than the EU action plan - Action plan objectives are coherent with the	For each intervention other than the EU action plan - Degree of alignment between objectives,	Qualitative assessment based on analysis and input from stakeholders as to: (i) whether the objectives of the action	Evaluations and impact assessment of other policies including policies on biodiversity, trade, etc.

Sub-questions	Assessment criteria	Indicators	Data-analysis approach	Data sources/Data-collection methods
implementation that occurred compare with the objectives, provisions and implementation of the action plan and what are the possible gaps, overlaps and inconsistencies? - What are the interactions between the intervention and the action plan in practice?	objectives of key EU and national policies - The action plan is coherent with other biodiversity and trade policies - The action plan complements or contributes to the targets in other policies - The action plan is coherent with other EU environmental legislation	provisions, and implementation - Instances of interaction and existence of possible inconsistencies	plan and the respective EU policies are aligned; and (ii) whether there are any overlaps or inconsistencies	Desk research Literature review OPC questionnaire Targeted consultation: Stakeholder (expert) questionnaire Stakeholder interviews
2. To what extent is the action plan coherent with other interventions which have different objectives but employ the same or similar mechanisms (e.g. development aid or law-enforcement cooperation in other policy domains)? **NB: Merged with question 1.**				
For each intervention	For each intervention	For each intervention	Qualitative assessment	Evaluations and impact

Sub-questions	Assessment criteria	Indicators	Data-analysis approach	Data sources/Data-collection methods
- How do the objectives, provisions and implementation of the intervention compare with the objectives, provisions and implementation of the action plan and what are the possible gaps, overlaps and inconsistencies? - What are the interactions in practice?	- Action plan objectives are coherent with the objectives of key EU and national policies - The action plan is coherent with other biodiversity and trade policies - The action plan complements or contributes to the targets in other policies - The action plan is coherent with other EU environmental legislation	- Degree of alignment between objectives, provisions and implementation - Instances of interaction and existence of possible inconsistencies	based on analysis and input from stakeholders as to: (i) whether the objectives of the action plan and the respective EU policies are aligned; and (ii) whether there are any overlaps or inconsistencies	assessment of other policies including policies on biodiversity, trade, etc. Desk research Literature review OPC questionnaire Targeted consultation: Stakeholder (expert) questionnaire Stakeholder interviews
3. To what extent is the action plan internally consistent and coherent?				
To what extent is the	Whether the action plan is	- Stakeholders' and	Qualitative discussion	Desk research

Sub-questions	Assessment criteria	Indicators	Data-analysis approach	Data sources/Data-collection methods
action plan internally consistent and coherent? Are there any identified cases of overlaps, contradictions, or other inconsistencies in terms of the provisions/requirements? To what extent do the actions match the objectives of the action plan?	coherent internally None of the requirements are unnecessary, unclear, or contradictory Instances of interaction and existence of possible inconsistencies. Provisions of the action plan support action plan's objectives	Member State authorities' views on the internal coherence of the action plan - Clarity of provisions - Consistency of the actions and requirements	based on logical analysis and input from stakeholders on whether: (i) the provisions are all working together; and (ii) the action plan is being delivered in a coherent and simple manner	Literature review OPC questionnaire Targeted consultation: Stakeholder (expert) questionnaire Stakeholder interviews
4. To what extent is the action plan consistent with relevant international instruments to which the EU has subscribed?				
SDGs CITES and CoP decisions and resolutions UNGA Resolution on	Coherence in terms of the objectives and results in other international instruments	- Coherence of the action plan - Clarity of provisions - Consistency of the	Qualitative discussion based on logical analysis and input from stakeholders on whether the provisions are all working well with relevant	Desk research Review of international instruments to which the EU has subscribed

Sub-questions	Assessment criteria	Indicators	Data-analysis approach	Data sources/Data-collection methods
tackling illicit trafficking in wildlife UN Environment resolution on illegal trade in wildlife and wildlife products G20 endorsement of high-level principles on combating corruption related to illegal trade in wildlife and wildlife products		actions and requirements	international instruments	Literature review OPC questionnaire Targeted consultation: Stakeholder (expert) questionnaire Stakeholder interviews
5. To what extent is the action plan coherent with other EU environmental policy objectives, in particular those of the FLEGT action plan, the Regulation against Illegal, Unreported and Unregulated (IUU) Fishing, the environmental compliance assurance action plan, or the Environmental Crime Directive? **NB: Merged with question 1.**				
Coherence in terms of	Common approaches,	What type of actors are	Qualitative discussion	Desk research

Sub-questions	Assessment criteria	Indicators	Data-analysis approach	Data sources/Data-collection methods
objectives Coherence in terms of actors targeted Coherence in terms of transport routes Coherence in terms of targeting the trading platform	inconsistencies, compliance, and enforcement approaches	responsible for the policy goals (such as law-enforcement authorities which deal with organised crime/armed groups or terrorists) Detection approaches (enforcement chain and cooperation within and between Member States) Tackling transport methods used in illegal trade (maritime, air, post, etc.) Sales on online platforms (internet) and secure messaging (the Telegram app)	based on logical analysis and input from stakeholders on whether: (i) the provisions are all working together; and (ii) the action plan is being delivered in a coherent and simple manner	(legal analysis (review of legal proceedings); Literature review OPC questionnaire Targeted consultation: Stakeholder (expert) questionnaire Stakeholder interviews
3. To what extent is the initiative coherent with wider EU policy, including policy on separate but related policy objectives such as public				

Sub-questions	Assessment criteria	Indicators	Data-analysis approach	Data sources/Data-collection methods
health, animal health, or the fight against food fraud? **NB: Merged with question 1.**				
Coherence in terms of objectives Coherence in terms of actors targeted	Common approaches, inconsistencies, compliance, and enforcement approaches	Type of actors (e.g. actors working to combat food fraud, or actors working to promote public health, animal health, or external aid/development cooperation) and objectives they are working towards (stability/rule of law), EMPACT and EU crime priorities, etc.)	Qualitative discussion based on logical analysis and input from stakeholders on whether the provisions are all working together	Desk research (i) legal analysis (review of legal proceedings); (ii) guidance on areas where the action plan lacks clarity or coherence; and (iii) critical review of the action plan in comparison with these separate but related policy objectives Literature review OPC questionnaire Targeted consultation: Stakeholder (expert)

Sub-questions	Assessment criteria	Indicators	Data-analysis approach	Data sources/Data-collection methods
				questionnaire Stakeholder interviews

Relevance

The relevance criterion analyses the relationship between the needs and problems in society on the one hand and the objectives of the action plan on the other. Although the 2018 progress report considered that the priorities and objectives set out in the action plan remain appropriate and relevant, the relevance analysis requires a consideration of how the objectives of the action plan correspond to wider EU policy goals and priorities (such as the biodiversity strategy, the Green Deal, the SDGs, etc.). It will identify if there is any mismatch between the objectives of the action plan and the current situation. It will cover the three evaluation questions asked in the service request as presented in the evaluation matrix below.

Sub-questions	Assessment criteria	Indicators	Data-analysis approach	Data sources/Data-collection methods
1. To what extent is the action plan still relevant and to what extent do its (original) objectives still correspond to the needs within the EU?				
To what extent is the action plan still relevant? Does it correspond to the current needs within the EU? Does it correspond to the ambitions of the Member States?	Relevance with the changing scenario (e.g. improved cooperation between countries on money laundering and other organised crimes) Relevance with wider policy goals (Green Deal, biodiversity strategy, etc.) Relevance to national policy objectives	- Stakeholders' and Member State authorities' view on relevance - Consistency with EU and national policies	Qualitative discussion based on logical analysis and input from stakeholders on whether the action plan is still relevant on the three questions	Desk research Literature review OPC questionnaire Targeted consultation: Stakeholder (expert) questionnaire Stakeholder interviews

Sub-questions	Assessment criteria	Indicators	Data-analysis approach	Data sources/Data-collection methods
2. How flexible has the action plan been in responding to new issues?				
Has the action plan been flexible enough to respond to new issues (e.g. sales using social media and secure networks)? Does the action plan contain moot or redundant requirements?	New channels of trafficking and sales COVID-19 risks and opportunities?	- Stakeholders' and Member State authorities' view on flexibility Ability of Member States to adapt during COVID-19	Qualitative discussion based on logical analysis and input from stakeholders on flexibility	Desk research Literature review OPC questionnaire Targeted consultation: Stakeholder (expert) questionnaire Stakeholder interviews

EU added value

The EU added-value criterion brings together the findings from all other evaluation criteria and focuses on the benefits and changes resulting from the action plan that are additional to those that would have resulted from action at Member State level or sub-MS level (e.g. regional or local level). It is not possible to be certain about what would have happened without EU-level action, but this question can be raised with Member State representatives and other relevant actors, including to assess whether EU policy helped to reduce the political risk associated with unilateral Member State policy commitments, as perceived by business and other key stakeholders.

Sub-questions	Assessment criteria	Indicators	Data-analysis approach	Data sources/Data-collection methods
1. What is the European added value of the action plan, compared to what could have been achieved in its absence by Member States at national and/or regional levels, and by international organisations globally?				
What is the added value of the action plan at EU and global level (e.g. on global wildlife trafficking)? Counterfactual baseline (in the absence of the action plan) What would be the most likely consequences of stopping or withdrawing the action plan?	Perception of EU action plan by Member States, and whether it has helped increase political will to tackle wildlife crime Existence of national-level measures/mechanisms already in place before the action plan/not linked to the action plan and consideration of what these could have achieved		Qualitative discussion based on logical analysis and input from stakeholders on flexibility	Desk research Literature review OPC questionnaire Targeted consultation: Stakeholder (expert) questionnaire Stakeholder interviews

Sub-questions	Assessment criteria	Indicators	Data-analysis approach	Data sources/Data-collection methods
	by themselves collectively at the EU level			
2. To what extent does the action plan comply with the principles of subsidiarity and proportionality? What has been the role of and impact on local and regional authorities?				
	Variation across Member States	Impact at different levels in Member States	Qualitative discussion based on logical analysis and input from stakeholders on flexibility Subsidiarity and proportionality analysis	Desk research Literature review OPC questionnaire Targeted consultation: Stakeholder (expert) questionnaire Stakeholder interviews

ANNEX IV. OVERVIEW OF BENEFITS AND COSTS [AND, WHERE RELEVANT, TABLE ON SIMPLIFICATION AND BURDEN REDUCTION]

The EU action plan against wildlife trafficking brings together a wide variety of measures from different areas and each with a different character. For this reason, it is not possible to reliably estimate the costs it engendered. In addition, the data limitations in the area of the illegal wildlife trade make it almost impossible to determine the economic benefits of this plan. For more discussion of this issue, please see Section 4.1.2.1.

1. OPC

a. Profile of OPC respondents

A total of 173 responses to the OPC were received, and only one blank response was identified, leaving a total of 172 valid responses. Among these responses, 123 were unique, and 49 were identified as being part of campaigns. The largest number of responses (59.88%) came from EU citizens, followed by non-governmental organisations (NGOs) (20.35%). Figure 3 presents the respondents broken down according to different stakeholder groups.

Responses were received from both EU Member States and non-EU countries. Many responses originated from the Netherlands (69), with relatively fewer from Belgium (15), France (25), Germany (15), and the United Kingdom (14). The following countries provided very low numbers of responses (1-5): Austria (3), Australia (1), Bulgaria (1), Canada (2), Czech Republic (1), Denmark (4), Finland (1), Italy (4), Kenya (1), Morocco (1), Poland (1), Romania (2), Spain (3), Sweden (1), Switzerland (1), the United States (5), and Zimbabwe (2). Not all 116 respondents answered every question of the OPC questionnaire.

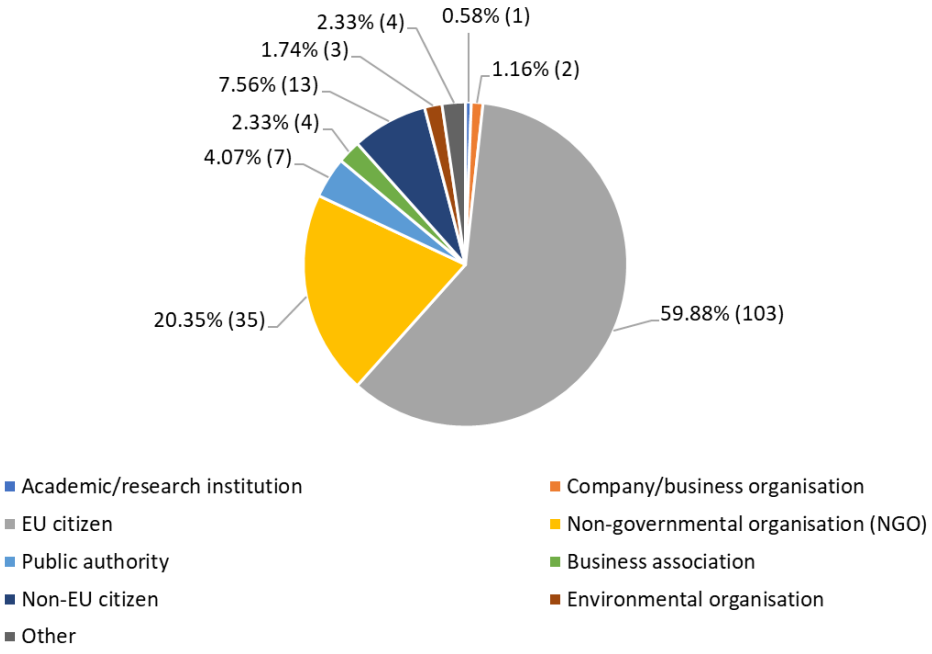


Figure 3: Profile of respondents to the OPC

In total, participants uploaded 32 position papers, of which 6 were duplicates submitted as part of an identified campaign, leaving 26 unique position papers for in-depth analysis with numbers of pages ranging from 1 to 18.

b. OPC questionnaire – summary of results

OPC responses show a dichotomy between stakeholder groups. Public authorities and companies more frequently supported actions taken to implement the action plan (although these stakeholders were low in number and only tenuous conclusions can be drawn), while

citizens and NGOs were far more critical. NGOs argued that although the action plan continues to be relevant, its implementation by the Member States has not been effective and requires further actions in various ways.

The following sub-sections provide a general summary of responses for each stakeholder group.

EU citizens and non-EU citizens

EU and non-EU citizens showed a low awareness of most efforts made to implement the action plan in their country. For citizens, the four most important priorities for revision of the action plan were: (i) greater awareness raising in demand countries; (ii) strengthening EU legislation on the wildlife trade; (iii) strengthening international agreements on the wildlife trade; and (iv) improving compliance with legislation and enforcement in the EU. Citizens stressed that the action plan should focus on greater detection, enforcement and harsher punishments of those guilty of the illegal wildlife trade. They also believe that the action plan should increasingly: (i) target traditional medicines; (ii) encourage behavioural change in the illegal wildlife trade; and (iii) allocate sufficient resources to enforcement and judicial authorities.

Most citizens believed that all key actors were doing too little to tackle the illegal wildlife trade, except NGOs and researchers/academics. In general, citizens disagreed that authorities in their country and the EU had taken sufficient action and given sufficient financial support to reduce the demand for illegal wildlife and illegal wildlife products. Most disagreed that authorities had provided sufficient financial support for the sustainable economic development of rural/source communities.

Most citizen respondents believed that the authorities of their country had not systematically addressed corruption relating to the illegal wildlife trade. They also believed that corruption had increased at the national, EU, and international levels. Most citizen respondents did not believe that authorities in their country had reviewed and amended relevant national legislation to ensure that organised wildlife trafficking, including related money laundering, constitutes a serious crime. Furthermore, most citizen respondents did not agree that there are adequate facilities for the temporary care of seized or confiscated wildlife.

Citizens also generally disagreed that authorities have ensured monitoring and enforcement of compliance with the action plan and of illegal killing, trapping and trade of birds within their State and at borders. Most citizen respondents did not believe that authorities had drawn up national enforcement priorities for target species and products nor that they had set up joint investigation teams with Europol/Eurojust, other inter-agency coordination mechanisms, or investigators on illicit financial flows relating to the illegal wildlife trade. Furthermore, citizens did not believe that authorities regularly published reports or indicators on how financial support has been used. Most citizens did not know that authorities in their country had set up focal points in delegations and embassies in key source transit and/or consumer countries to strengthen partnerships.

Civil society

Civil-society stakeholders were generally aware of most efforts made to implement the action plan in their country. Their top four priorities for a revised action plan were: (i) awareness raising in high-demand countries; (ii) raising the profile and political importance of tackling

the illegal wildlife trade; (iii) improving cooperation and information sharing between EU/non-EU countries; and (iv) greater financial support to local communities tackling the illegal wildlife trade in source countries. Key topics highlighted by this stakeholder group included: (i) the need to allocate sufficient resources for enforcement and judicial authorities; (ii) the need to include experts and expert organisations in the policy-making processes; and (iii) the need for countries to better implement and enforce action plan measures.

Most civil-society stakeholders believed all actors were doing too little to tackle the illegal wildlife trade, except NGOs, researchers and academics.

Most civil-society stakeholders disagreed that the authorities in their countries and the EU had taken adequate actions or provided sufficient financial support to either: (i) reduce the demand for illegal wildlife and their products; or (ii) promote sustainable economic activities in rural/source communities. They were of the view that authorities had not set up focal points in delegations and embassies in key source, transit and/or consumer countries to strengthen partnerships.

Over half of civil-society respondents did not feel that authorities in their country had adequately reviewed and amended relevant national legislation to ensure that the illegal wildlife trade constitutes a serious crime, nor that these authorities had reviewed and amended relevant national legislation on money laundering related to the illegal wildlife trade.

Most civil-society respondents believed that more actions from the action plan should have been implemented at the EU rather than at the national level. Despite believing that implementation was lacking, civil-society stakeholders were split as to whether they believed that the action plan continued to provide a comprehensive means of tackling the illegal wildlife trade while facilitating legal trade, with many stating that the action plan was already comprehensive and ambitious enough as it is.

Companies and business associations

Companies and business associations submitted few responses (6), and the following results should be interpreted with caution.

The small group of responses from companies and business associations showed that these respondents were generally aware of most efforts to implement the action plan in their country except for efforts in the areas of capacity building and training of authorities and institutions. These respondents also believed that the top four priorities of a revision to the action plan should include: (i) greater awareness raising in demand countries; (ii) capacity building and training of authorities; (iii) improved cooperation and information sharing; and (iv) improved compliance and enforcement within the EU. Key topics that companies and business associations highlighted included the need to: (i) support behavioural change in consumers; (ii) target cyber trafficking; and (iii) encourage continuous support and commitment from the Member States to the action plan and the fight against the illegal wildlife trade.

Most company respondents believed that national authorities, the EU, businesses, NGOs, and researchers/academics were doing enough to tackle the illegal wildlife trade (they considered that all other stakeholders were doing too little).

Most companies and business associations agreed that: (i) existing awareness-raising tools and materials had been shared among the EU Member States; (ii) the proposed listing of additional endangered species in the three CITES appendices should go ahead; and (iii) authorities systematically discuss corruption related to the illegal wildlife trade.

In general, companies and business associations believe that the demand for – and supply of – illegal wildlife and products have decreased at the national, EU and international levels.

Most disagreed that authorities had taken adequate actions and provided sufficient financial support to reduce the demand for products originating in the illegal wildlife trade. However, they considered that the engagement of rural communities in the fight against the illegal wildlife trade had increased at the national and international levels. Similarly, they believed that engagement with businesses fighting the illegal wildlife trade had increased at national, EU, and international levels. Furthermore, most companies and business associations believed that corruption had decreased at all levels. They also believed that the capacity of the enforcement chain, including international cooperation in enforcement and the judiciary, had increased at the national and international levels. Most also were of the view that the effectiveness of the fight against the illegal wildlife trade had increased.

Public authorities

As was the case with the small group of companies and business associations, few responses were submitted by public authorities. The following summary of these responses should therefore be interpreted with caution.

Public authorities were generally aware of efforts made to implement the action plan in their country. Public authorities generally stated that the action plan had had positive impacts but that it may not have gone far enough to tackle the illegal wildlife trade.

Public authorities believed that the top four priorities for revising the action plan should be: (i) increased capacity building and training for EU Member State authorities and institutions; (ii) improved cooperation and information sharing between the EU Member States; (iii) improved legislative and enforcement compliance; and (iv) greater awareness-raising efforts. Public authorities believed that the reporting and monitoring information provided in the 2018 progress report was useful for monitoring. However, they considered that this information could be improved by: (i) using common reporting standards/templates; (ii) setting measurable targets for implementation; and (iii) requiring national authorities to report.

Most public authorities believe that the following actors are doing enough to tackle the illegal wildlife trade: intergovernmental organisations, EU authorities, national governments of EU Member States, judiciaries of EU Member States, national customs authorities of EU Member States, and NGOs. Most public authorities believed that all other stakeholder types were doing too little.

Public authority respondents agreed with the proposed listing of additional endangered species in the three CITES appendices.

Most public authorities agreed that national authorities had taken sufficient actions to provide financial support to reduce demand for products originating in the illegal wildlife trade in their country, including by encouraging sustainable economic activities in rural communities

near wildlife habitats. However, most disagreed that the authorities had sufficiently supported private-led initiatives and private-public partnerships to curb the illegal wildlife trade. Most public authorities also believed that there had not been enough systematic discussion among public authorities themselves of how to better fight corruption related to the ILLEGAL WILDLIFE TRADE. Most public authorities believed that they and other authorities had set up focal points in delegations and embassies in key source, transit and/or consumer countries to strengthen partnerships. Most responses from public authorities also suggested that the effectiveness of the fight against the illegal wildlife trade had increased at national and EU levels since the adoption of the action plan. International cooperation – specifically on enforcement against the illegal wildlife trade – was also thought to have increased at EU and international levels.

Most public authorities suggested the three following potential improvements to monitoring requirements: (i) the use of common reporting standards and templates; (ii) the setting of measurable targets and indicators for implementation; and (iii) the setting of specific requirements for each type of authority (i.e. specific requirements for the European Commission, the High Representative of the Union for Foreign Affairs & Security Policy, the Vice President of the European Commission, Member State competent authorities, Europol, Eurojust, and the European Network of Prosecutors for the Environment).

c. Position papers

In total, 32 position papers were submitted. Of these papers, 6 were duplicates and removed from the selection of papers for analysis, and 26 valid position papers were analysed. Of the valid position papers, 62% (16) mentioned the issue of legality and legislation on the action plan. On this issue, NGOs discussed the link between the legal and the illegal wildlife trade, arguing that stricter regulation of the legal trade is also necessary to: (i) prevent the risks and consequences of the illegal wildlife trade; and (ii) address the illegal trade in non-CITES-listed species protected in their country of origin. NGOs also recommended that the revision of the action plan should be coherent and aligned with other recent legislation and EU policies related to the action plan, such as the Environmental Crime Directive, the EU Green Deal, and the Digital Services Act. In addition, NGOs said that further restrictions were needed on trophy hunting and the ivory trade. Eight NGOs mentioned the lack of clear monitoring and evaluation processes, and recommended the implementation of clear and more precise objectives and actions with key performance indicators (KPIs). These eight NGOs also recommended the creation of a robust and logical reporting framework and monitoring system.

Sufficient allocation of human and financial resources and a dedicated budget supporting the effective implementation of the action plan is a prominent theme identified in the valid position papers. Eight NGOs reiterate this recommendation, as does one position paper submitted by a public authority, which also presents the transposition of the action plan into a national action plan in Czech Republic.

The following three pages or so set out the main key issues (**in bold type**) with the current action plan and the corresponding recommendations to improve them, as presented in the position papers. At the beginning of each recommendation, the main supporting stakeholders for the arguments made in bold type are underlined.

Many of the actions from the action plan were not completed, or their assessment could not be completed due to the lack of a clear monitoring and evaluation process

Recommendations

- NGOs, public authorities (PAs), research institutions, and businesses: (i) implement clear and more precise objectives and actions with KPIs; and (ii) create a baseline.
- NGOs, PAs, research institutions, and businesses: set up a robust, logical reporting framework and monitoring system that:
    - contains user-friendly tools such as reporting templates;
    - makes it possible to measure progress and ensure accountability towards its implementation.

The current action plan is not legally binding/there should be stronger enforcement of legislation

Recommendations

- NGOs, research institutions: Understand the connection and links between the legal and illegal wildlife trade – legal trade in wild animals often serves as a cover for the illegal wildlife trade.
- NGOs, PAs: Align and incorporate action to tackle the illegal and unsustainable wildlife trade and bring it into existing regulations (i.e. the Environmental Crime Directive and the EU Wildlife Trade Regulations). Priorities in this work should include:
    - covering species protected under the Birds and Habitats Directives;
    - a greater focus on endemic and native species;
    - ensuring coherence with legislation related to IUU fishing and timber trafficking;
    - references to the Directive on the freezing and confiscation of instrumentalities and proceeds of crime, the Digital Services Act, and the Directive on countering money laundering.
- NGOs: Develop new legislation to end the sale of live and freshly killed wild animals protected by the action plan for human consumption.
- NGOs, PAs: Transpose the action plan at the national level into national action plans. It is important to adapt the action plan to national priorities and contexts, as well as to align it with the concerns of national stakeholders (e.g. Spain and Czech Republic).

There is insufficient capacity to house all confiscated/seized animals – governments rely on privately-owned facilities, although these facilities receive zero or limited public funding

Recommendations:

- NGOs, PAs, businesses: Funds should be allocated at the EU level and made available to Member States to ensure consistent and appropriate support to rescue centres across Europe. This will support the establishment of a network of responsible rescue facilities.
- NGOs, PAs, and research institutions: Seek consistent and transparent reporting on all seized or confiscated live animals to CITES, Europol, and the countries of origin to help ensure accurate information on the illegal trade of live animals.
- NGOs, PAs, and research institutions: Increase cross-border cooperation between Member States in caring for seized animals.

- NGOs, businesses: Recognise the role of CSOs and set stronger cooperation.

Demand for – and availability of – wildlife is still increasing

Recommendations:

- NGOs, research institutions: Implement evidence-based demand-reduction initiatives in key consumer countries.
- NGOs, PAs, research institutions: Support research into behaviour change in key consumer markets.

Loopholes must be closed in wildlife-related legislation/directives/regulations

Recommendations:

- NGOs, research institutions: Expand the number of species covered – not only by encompassing species protected by CITES and the EU Wildlife Trade Regulations but also through other regulations such as the EU Timber Regulation and the IUU Fishing Regulation.
- NGOs: Close the loopholes in the EU Wildlife Trade Regulations by addressing the illegal trade in non-CITES-listed species protected in their country of origin (although a species can be illegally exported from its country of origin into the EU, if it is listed as a non-CITES species, there is currently no legal way to stop its trade). NGOs also suggested making use of Annex B of Council Regulation EC No. 338.97.
- NGOs, research institutions: Adopt an EU 'positive list' of allowed species. Assess the safety and suitability of animal species to be kept as pets based on the criteria of animal welfare, public health, public safety, biodiversity protection, and invasiveness risk.

Gender and human rights aspects are increasingly linked with the action plan

Recommendations:

- NGOs, research institutions: Indigenous people and local communities (IPLCs) and women should be involved in decision-making and knowledge sharing.
- NGOs: Reduce demand from urban consumers and markets for wildlife as food. This will lead to less supply, leaving more wildlife for rural families who rely on wildlife as a primary source of food and thus help IPLCs.
- NGOs: Support the scale-up of locally produced, sustainable, non-wildlife, high-quality food to reduce dependence on wild meat – particularly for IPLCs.

The previous action plan contributed to boosting awareness and to training relevant experts – this work should continue

Recommendations:

- NGOs, research institutions: There is still a need to accord wildlife crime a higher priority on the political agenda.
- NGOs, PAs, and research institutions: Continue the training and specialisation of authorities on wildlife crime, forest crime and fisheries crime.

- NGOs, PAs, and research institutions: Set up a dedicated Wildlife Trafficking Coordinator's Office.
- NGOs, research institutions, and businesses: Increase the involvement of the private sector (such as the transport sector, online platforms and companies supplying wildlife products) in the fight against the illegal wildlife trade. Implement legislative frameworks that oblige these companies to adopt due-diligence procedures.

Tackle wildlife cybercrime – wildlife traffickers are making use of online platforms to reach a virtual marketplace

Recommendations:

- NGOs: Wildlife cybercrime should be given the same level of priority as other forms of cybercrime.
- NGOs, research institutions: Support the development of technological solutions according to the new Digital Services Act.
- NGOs, PAs: Require traders to declare the legal status of the animal or product they are offering for sale.
- NGOs: Wildlife cybercrime should be appropriately addressed at key international fora such as CITES, UNTOC and the IUCN.

Other main recommendations from the position papers

- NGOs: A comprehensive global agreement on tackling wildlife trafficking should be adopted. In addition, a new pandemic-prevention treaty should be drawn up. This treaty should be a multilateral agreement to commit governments to all necessary actions to prevent future pathogen spillover from wildlife to humans.
- NGOs: Advocate for a new protocol on the illicit trafficking of wildlife under the UNTOC. States that are party to the protocol would agree to adopt legislation that makes it a criminal offence to illicitly traffic any whole or part of a wild animal or plant, whether alive or dead.
- NGOs, research institutions: Adopt a 'one health' approach – working across sectors at the local, regional, national, and global levels to tackle zoonotic spillovers.
- NGOs, research institutions: Impose a ban on trophy hunting – used to cover for the illegal import of protected wildlife species into the EU. Require import permits for all species listed in Annex B of Council Regulation EC 338/97.
- NGOs, PAs, research institutions: On the ivory trade, relevant issues still remain. Trade restrictions on worked ivory are only partially addressed in Commission Regulation 865/2006. Implementation of stricter regulations is needed.

2. TARGETED EXPERT CONSULTATIONS

a. Respondents to the targeted expert survey

A total of 39 responses were received. Responses were provided by: public authorities (35.9%, 14/39), NGOs (30.8%, 12/39), business associations (12.8%, 5/39), academic/research institutions (10.3%, 4/39), EU citizens (2.6%, 1/39), environmental organisations (2.6%, 1/39), and others (5.1%, 2/39). 84.6% (33/39) of respondents had more than 5 years of experience related to CITES/wildlife trade issues.

Responses were received from both EU and non-EU states as follows: Belgium (20.5%, 8/39), the Netherlands (15.4%, 6/39), Spain (10.3%, 4/39), Sweden (10.3%, 4/39), Germany (7.7%, 3/39), United Kingdom (7.7%, 3/39), Austria (5.1%, 2/39), Italy (5.1%, 2/39), Slovenia (5.1%, 2/39), Australia (2.6%, 1/39), Switzerland (2.6%, 1/39), USA (2.6%, 1/39), Canada (2.6%, 1/39), and Zimbabwe (2.6%, 1/39).

Respondents to the targeted expert survey were asked whether they would like to be contacted for an interview. From the 39 responses received from the targeted expert survey, 23 participants chose to be contacted for an interview. Finally, only 16 stakeholders were available with whom interviews were conducted. Interviews were conducted with NGOs (50%, 8/16), academic/research institutions (18.8%, 3/16), public authorities (12.5%, 2/16), business associations (6.3%, 1/16), and others (12.5%, 2/16).

b. Targeted consultations – summary

Throughout the expert consultations, the action plan offered a point of reference and framework to guide action, illustrating the urgency of addressing the illegal wildlife trade. Overall, there is still a strong need for further measures to increase awareness and behavioural change. One of the action plan's main successes that was identified in the consultations was that it encouraged the EU to play a substantial role in funding certain programmes.

Although action has been taken at EU level, public-awareness campaigns have been scarce in most Member States. Demand-reduction activities have not matched the magnitude and scale of the growing demand for wildlife, especially in the light of increasing online trade which facilitates the illegal wildlife trade, as seen particularly in the trafficking of exotic pets. Indeed, emerging online trends make it difficult to monitor and prevent wildlife trafficking. Limited monitoring by courier companies also makes it easy for illegal wildlife products to reach their destination.

In the consultation activities, the need to increase evidence-based demand-reduction initiatives and encourage research into behavioural change (particularly in key consumer markets) was also discussed, as was the need to increase dialogue with key stakeholders in relevant business sectors (i.e. the transportation sector, online platforms) and exotic pet keepers.

Including non-CITES-listed species

The EU and previous CITES CoPs have successfully listed several species threatened by trade in the CITES appendices. However, the vast majority of species being traded remain unprotected by CITES. All interviewed NGOs stressed that the action plan was primarily focused on CITES-listed species and was not sufficiently focused on exotic pets, native EU species and non-CITES species. NGOs also argued that awareness raising should go beyond the protection of CITES species, and make use of Annex B of Council Regulation EC No. 338.97 to require import permits for hunting trophies from all species listed in the Annex.

From the targeted expert survey, 50% of the NGOs mentioned that they supported the adoption of an EU 'positive list' of safe and suitable pets, where species are independently evaluated to assess whether they are safe to be traded or not (i.e. to confirm that they do not pose a risk to the public or threaten the environment/themselves). The list would only include

species which are safe to be traded. The key issue in implementing such a list is filling legislation gaps and ensuring that an import into the EU is deemed illegal if it breaches the local laws of the exporting country. Respondents mentioned the US Lacey Act as an example of how this could be attempted. Under the Lacey Act: (i) it is unlawful to import, export, sell, acquire, or purchase fish, wildlife or plants that are taken, possessed, transported, or sold in violation of US or Indian Law; and (ii) it is unlawful to engage in interstate or foreign commerce involving any fish, wildlife, or plants taken in possession or sold in violation of State or foreign law.

Developing a monitoring and evaluation process and improving knowledge exchange

In the targeted expert survey, many questions could not be answered as stakeholders felt that they could not properly assess the impact of the action plan in several areas because the action plan lacked: (i) a clear monitoring and evaluation process; and (ii) measurable KPIs. Developing a scoreboard and measurable indicators to systematically review the quality of the implementation of action plan in each Member State, as well as the allocation of a dedicated budget, was advised by 25% of the stakeholders when their opinions were asked on how to improve monitoring.

Cooperation and exchange of information between enforcement authorities and Member States remain a challenge in some Member States. This leads to essential information not being passed on from different authorities (i.e. Europol). This information includes judicial penalties, prosecutions, seizure data, intervention strategies, experience, training, and legislation. Without such information, it is more difficult to disrupt organised criminal networks in wildlife trafficking and obtain proper advice on how to consider different cases.

The lack of resources (technical, human and financial) was identified by 75% of NGOs and 71% of public authorities as the main obstacle in tackling the illegal wildlife trade. Although the exchange of information is facilitated through electronic platforms like EU-TWIX (which helps to connect officials across borders and rapidly shares information and expertise), its usage varies greatly within Member States and can be regarded as insufficient to overcome structural or regulatory obstacles. 25% of respondents from the expert survey mentioned that the EU-TWIX database is not easily accessible, as this also depends on the willingness and ability of Member States to share information.

Through a complete, transparent and updated overview accessible to all users, data collection through the EU-TWIX database can be improved. Supplementing the database with relevant information on prosecutions and judicial proceedings would also improve the database and encourage authorities to submit information on seizures in a timely manner. The database should be more easily accessible within the limits of privacy and personal-data protection.

Although there have been instances of cooperation between Member States, more effort needs to be made in this area. To ensure joint efforts by different Commission services and the Member States – and to support activities at Member State level – the implementation of a dedicated Wildlife Trafficking Coordinator's office within the European Commission was suggested.

Strengthening legislation

Due to the low number and low severity of penalties in Member States, many stakeholders disagreed that the legislative framework on environmental crime in many Member States was

in line with the European agenda on security. Many stakeholders also disagreed that wildlife trafficking was considered a serious crime under the UN Convention against Transnational Organized Crime. They argued that there were still gaps between international, European, and national legislation, and that there was still a lack of information on seizure rates, types of seized species, and quantifiable impacts. These stakeholders said that the fact the action plan was not legally binding might limit governments' political will to invest in tackling wildlife crime.

28% of the respondents from the expert survey advised incorporating actions to tackle illegal and unsustainable wildlife trade into existing regulations, such as the Environmental Crime Directive, the EU Wildlife Trade Regulations, the Digital Services Act, and other related EU directives/legislation. One stakeholder encouraged developing and adopting a global protocol on illicit wildlife trafficking under the UNTOC.

On drawing up other legislation related to wildlife crime, stakeholders argued that developing a pandemics agreement with a focus on prevention, preparedness and response would strengthen the relevancy and added value of the action plan. 58% of NGOs recommended embedding the 'one health'/'one welfare' approach within the revised action plan.

EU funding

The action plan provided for trans-sectoral capacity building across Member States, as well as boosting capacity to tackle online wildlife trafficking. However, shortcomings remain within investigations, prosecutions and judicial proceedings against the illegal wildlife trade.

Although a lot of funding has been designated for wildlife-related programmes and projects related to the implementation of the action plan, there have been some problems in evaluating the impact of this funding. It has been difficult to estimate how much money has been allocated to each objective and priority of the action plan. Financial support has been the main form of assistance given by the EU to non-EU countries. However, additional support is needed for the long-term sustainability of local projects, as many projects remain fragile due to insufficient support and an insufficient sense of 'ownership' by national and local authorities.

Throughout the expert-consultation activities, stakeholders voiced concern over the lack of funds, expertise and staff. They said that many of the actions from the action plan could not be conducted due to the lack of sufficient resources. Many NGOs emphasised that governments greatly depend on them to care for most seized/confiscated animals, although these NGOs lack the funding, human resources and space to do so.

Dedicated funds from the EU and Member States must be implemented to achieve different objectives. These include increasing capacity building and providing training and guidance, particularly for law-enforcement agencies. It is essential to help rescue centres and NGOs to obtain more space and resources for animal care and welfare, as well as to increase collaboration across relevant public- and private-sector bodies with transport companies, courier companies and online platforms. This would help to ensure cross-sectoral and public-private cooperation.

As mentioned above, 75% of NGOs and 71% of public authorities have said that the lack of resources is an obstacle of either 'very high' or 'high' significance that prevents them tackling the illegal wildlife trade. 15% of respondents from the expert survey have advised

the implementation of a dedicated EU budget to incentivise and facilitate the implementation of a new or revised action plan.

3. STAKEHOLDER WORKSHOP

a. Priority 1 – Preventing wildlife trafficking and addressing its root causes

The following strengths of the action plan in this area were identified in the stakeholder workshop: (i) the action plan has been successful in implementing many actions (in collaboration, lists, participating in operations, awareness raising, etc.); (ii) the action plan has been successful in raising the profile of the fight against the illegal wildlife trade on international and national levels; (iii) the action plan has made it easier to evaluate the magnitude of the illegal wildlife trade; (iv) the action plan has strengthened cooperation with and among local communities and authorities; and (v) the action plan has increased civil-society initiatives against wildlife trafficking in Europe.

The following weaknesses of the action plan were identified in the stakeholder workshop: (i) the action plan did not result in measurable impacts; (ii) there is a need to prioritise the actions in the action plan; (iii) the action plan does not address gaps in the legal framework; (iv) the action plan has too little focus on demand reduction; (v) there is a disconnect in the action plan between outreach in raising awareness versus the actual impact of this outreach on legislation and bringing about change; (vi) the action plan does not cover non-CITES-listed species; (vii) the action plan lacks a clear baseline, measurable indicators, and reliable data; (viii) the action plan lacks a monitoring and evaluation framework; and (ix) the action plan lacks funding and resources.

b. Priority 2 - Making implementation and enforcement of existing rules and the fight against organised wildlife crime more effective

The two main strengths of the action plan in this area were identified in the stakeholder workshop: (i) the action plan has helped raise political attention at EU level; and (ii) the action plan has improved knowledge and capacity building. The main weaknesses of the action plan in this area that were identified in the workshop were: (i) the action plan's lack of a dedicated budget; (ii) that there has been no transposition of the action plan at the national level; (iii) that it is difficult to monitor and evaluate cooperation and coordination between Member States and authorities; (iv) that rescue centres face all the responsibility for caring for/handling seized animals; and (v) the lack of resources to implement the action plan – especially human resources.

c. Priority 3 - Strengthening the global partnership of source, consumer, and transit countries against wildlife trafficking

The two main strengths of the action plan in this area were identified by the workshop, namely that: (i) the channels and tools for information exchange already exist and should be maintained; and (ii) there is strong cooperation at EU level. The main weaknesses of the action plan in this area that were identified by the workshop were: (i) that it is difficult to identify how financial support is attributed to developing countries; (ii) that EU delegations in some countries do not know about the action plan; and (iii) that there are inconsistencies within reporting to EU-TWIX between Member States.

ANNEX VI: OVERVIEW OF PROGRESS IN IMPLEMENTATION OF THE ACTION PLAN, BY ACTION

Priority I – Preventing wildlife trafficking and addressing its root causes

	Actions	**Progress**
Objective 1.1 **Reduce the demand for and supply of illegal wildlife products**	1. Increase support for awareness- raising and targeted demand reduction campaigns in the EU and worldwide	Some progress
	2. Further limit trade in ivory within and from the EU	Good progress
	3. Reduce or ban unsustainable imports into the EU of endangered species by proposing their listing in CITES Appendices (e.g. rare reptile species)	Good progress
Objective 1.2 **Ensure that rural communities in source countries are engaged in and benefit from wildlife conservation**	4. Strengthen engagement of rural communities in the management and conservation of wildlife	Some progress
	5. Support the development of sustainable and alternative livelihoods for communities living in and adjacent to wildlife habitats	Some progress
Objective 1.3 **Increase business sector engagement in efforts to combat wildlife trafficking and encourage sustainable sourcing of wildlife products**	6. Raise awareness of business sectors trading in wildlife products within/from the EU or facilitating such trade	Some progress
	7. Support private-sector initiatives to curb the illegal wildlife trade and encourage sustainable sourcing of wildlife products in/from the EU	Some progress

	Actions	Progress
Objective 1.4 **Tackle corruption associated with wildlife trafficking**	8. Support initiatives to fight the corruption associated with wildlife trafficking at national, regional and international levels	Some progress

Priority 2 – Making implementation and enforcement of existing rules and the fight against organised wildlife crime more effective

	Actions	Progress
Objective 2.1: Ensure more even implementation of EU rules on the wildlife trade and develop a more strategic approach to checks and the enforcement of rules against wildlife trafficking at EU level	9. Develop strategies to improve compliance with EU wildlife legislation at national level	Some progress
	10. Improve rate of detection of illegal activities	Some progress
	11. Step up efforts to ensure implementation of the EU roadmap towards eliminating the illegal killing, trapping and trade of birds (also relevant under Priority 1)	Some progress
	12. Define and assess priority risks regularly	Good progress
	13. Improve cooperation among Member States on cases of cross-border wildlife trafficking	Good progress
	14. Review the EU policy and legislative framework on environmental crime in line with the European Agenda on Security	Some progress
Objective 2.2: Increase capacity to combat wildlife trafficking of all parts of the enforcement chain and the judiciary	15. Improve cooperation, coordination, communication and data flow between the enforcement agencies responsible in the Member States	Some progress

	Actions	Progress
	16. Improve knowledge base on checks, investigations, prosecutions and judicial proceedings against wildlife trafficking	Some progress
	17. Step up training for all parts of the enforcement chain, including joint training activities	Some progress
	18. Strengthen or, where applicable, establish practitioner networks at national and regional level, and improve cooperation between them	Some progress
	19. Improve care of seized or confiscated live animals or plants	Some progress
Objective 2.3: Fight organised wildlife crime more effectively	20. Regularly assess the threat posed by organised wildlife trafficking in the EU	Good progress
	21. Boost capacity of relevant experts to tackle the links of wildlife trafficking with organised crime, including cybercrime and related illicit financial flows	Some progress
	22. Member States ensure, in line with international commitments made, that organised wildlife trafficking constitutes throughout the EU a serious crime under the UN Convention against Transnational Organized Crime, i.e. that it is punishable by imprisonment of a maximum of at least four years	Some progress
	23. Member States review, in line with UNGA Resolution, national legislation on money laundering to ensure that offences connected to wildlife trafficking can be treated as predicate offences and are actionable under domestic proceeds of crime legislation	Some progress

	Actions	Progress
Objective 2.4: Improve international cooperation on enforcement against wildlife trafficking	24. Step up cooperation on enforcement between the Member States and EU enforcement actors and key non-EU countries and other regional Wildlife Enforcement Networks, relevant global networks (International Consortium for Combating Wildlife Trafficking, ICCWC[106], and the International Network for Environmental Compliance and Enforcement, INECE)	Good progress
	25. Support capacity building for law enforcement in key source and market countries, including enforcement within protected sites	Some progress

[106] Comprising Interpol, the CITES Secretariat, the World Customs Organisation, UNODC and the World Bank.

Priority 3 - Strengthening the global partnership of source, consumer and transit countries against wildlife trafficking

	Actions	**Progress**
Objective 3.1: **Provide increased, more effective and more strategically focused support to developing countries**	26. Ensure that wildlife trafficking is considered for EU funding under relevant programmes in the areas of natural resources management, environment, organised crime, security and governance	Some progress
	27. Increase effectiveness of funding support against wildlife trafficking	Some progress
Objective 3.2 **Strengthen and coordinate better action against wildlife trafficking and its root causes with relevant source, transit and market countries**	28. Step up dialogue with key source, transit and market countries, including dialogue with local communities, civil society and the private sector	Some progress
	29. Use EU trade policies and instruments proactively to support action against wildlife trafficking	Some progress
	30. Strengthen cooperation against wildlife trafficking with relevant regional organisations, such as the African Union, SADC, the East African Community, ASEAN, and in relevant multilateral fora, such as ASEM	Some progress
Objective 3.3 **Address security dimension of wildlife trafficking**	31. Improve knowledge base and develop strategies to tackle the links between wildlife trafficking and security	Good progress
Objective 3.4 **Strengthen multilateral efforts to combat wildlife trafficking**	32. Support the adoption and implementation of strong decisions, resolutions and political declarations on wildlife trafficking in international instruments and multilateral fora	Good progress