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Crime prevention and criminal justice

Draft resolution submitted by the Chair on the recommendation of the Economic and Social Council (resolution 2025/17)

Tackling illicit trafficking in wild fauna and flora, including timber and timber products, the illegal mining of and illicit trafficking in minerals and precious metals, illicit trafficking in waste and other crimes that affect the environment

The General Assembly,

Alarmed by existing research indicating that crimes that affect the environment, in particular illicit trafficking in wild fauna and flora, including timber and timber products, and the illegal mining of and illicit trafficking in minerals and precious metals, have become some of the most lucrative transnational criminal activities and are often closely interlinked with different forms of crime and corruption, and that the proceeds of crime derived from crimes that affect the environment and associated money-laundering and the illicit financial flows derived from such crimes may contribute to the financing of transnational organized crime and terrorism,

Alarmed also by the environmental damage and the economic and social impacts caused by crimes that affect the environment to ecosystems and biodiversity, as well as to individuals, Indigenous Peoples and local communities, and stressing the importance of involving affected groups in efforts to tackle those crimes,

Recalling its resolutions 69/314 of 30 July 2015, 70/301 of 9 September 2016, 71/326 of 11 September 2017, 73/343 of 16 September 2019, 75/311 of 31 July 2021 and 77/325 of 25 August 2023 on tackling illicit trafficking in wildlife and 76/185 of 16 December 2021 on preventing and combating crimes that affect the environment,

Recalling also Economic and Social Council resolution 2019/23 of 23 July 2019, entitled “Combating transnational organized crime and its links to illicit trafficking in precious metals and illegal mining, including by enhancing the security of supply chains of precious metals”,

Recalling further Commission on Crime Prevention and Criminal Justice resolution 31/1 of 20 May 2022, entitled “Strengthening the international legal



framework for international cooperation to prevent and combat illicit trafficking in wildlife”,¹

Recalling Conference of the Parties to the United Nations Convention on Transnational Organized Crime resolutions 10/6 of 16 October 2020,² 11/3 of 21 October 2022³ and 12/4 of 18 October 2024,⁴ on tackling crimes that affect the environment,

Recalling also Conference of the States Parties to the United Nations Convention against Corruption resolution 8/12 of 20 December 2019, entitled “Preventing and combating corruption as it relates to crimes that have an impact on the environment”,⁵

Recognizing the importance of respecting multilateral environmental agreements to which States are Parties and their mandates, and of avoiding duplication of efforts,

Recalling the Kyoto Declaration on Advancing Crime Prevention, Criminal Justice and the Rule of Law,⁶ in which Member States expressed deep concern about the negative impact of crimes that affect the environment and affirmed their endeavour to adopt effective measures to prevent and combat crimes that affect the environment, such as illicit trafficking in wild fauna and flora, including timber and timber products, in hazardous wastes and other wastes and in precious metals, stones and other minerals, and poaching,

Acknowledging the important role of relevant international and regional organizations and entities, within their respective mandates, including the United Nations Office on Drugs and Crime, the United Nations Environment Programme, the International Criminal Police Organization (INTERPOL), the World Customs Organization, the United Nations Interregional Crime and Justice Research Institute, the World Bank, the International Union for Conservation of Nature, the secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the secretariat of the Convention on Biological Diversity and the secretariat of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, in supporting States in their efforts to effectively prevent and combat crimes that affect the environment, including through effective inter-agency partnerships, such as the International Consortium on Combating Wildlife Crime and the Green Customs Initiative, and underscoring in this regard the crucial importance of further enhancing inter-agency cooperation and coordination on the matter, as appropriate,

Recognizing the need for a balanced, integrated, evidence-based, sustainable, comprehensive and multidisciplinary approach and response to address the complex and multifaceted challenges related to crimes that affect the environment,

Recalling the United Nations Declaration on the Rights of Indigenous Peoples,⁷ in which the General Assembly recognized, within the scope of the Declaration, *inter alia*, the right to the conservation and protection of the environment,

Affirming that the development and implementation of criminal justice responses to address crimes that affect the environment must fully respect the sovereign right of each State to determine its legal framework, the territorial integrity

¹ See *Official Records of the Economic and Social Council*, 2022, Supplement No. 10 (E/2022/30), chap. I, sect. C.

² See [CTOC/COP/2020/10](#), sect. I.A.

³ See [CTOC/COP/2022/9](#), sect. I.A.

⁴ See [CTOC/COP/2024/11](#), sect. I.A.

⁵ See [CAC/COSP/2019/17](#), sect. I.B.

⁶ Resolution [76/181](#), annex.

⁷ Resolution [61/295](#), annex.

of States and the principle of non-intervention in the domestic affairs of other States throughout all efforts of Member States in preventing and combating crime,

Affirming also the responsibility of States to fully promote and protect human rights and fundamental freedoms, as well as to uphold the principle of human dignity, in the impartial administration of justice and throughout all efforts of Member States in preventing and combating crimes that affect the environment,

Acknowledging the important role of relevant stakeholders, including the private sector, individuals and groups outside the public sector, non-governmental organizations, the media, academia and the scientific community, in contributing to the efforts of Member States, in accordance with their domestic law, to prevent and combat crimes that affect the environment,

Underlining the importance of technical assistance and scientific cooperation for effectively addressing crimes that affect the environment,

Underlining also that enhanced international cooperation is essential for improving the capability of States Parties to develop and implement effective responses to address crimes that affect the environment, in accordance with the relevant provisions of the United Nations Convention against Transnational Organized Crime⁸ and the United Nations Convention against Corruption,⁹

Mindful that there are still significant differences among States with regard to considering crimes that affect the environment as serious crimes and as predicate offences for the purposes of money-laundering offences,

Taking note of the United Nations Office on Drugs and Crime *World Wildlife Crime Report 2024*, which affirms, *inter alia*, that such crimes continue to pose a serious and persistent global challenge and have yet to be comprehensively addressed,

Concerned at the negative effects of the use of mercury diverted from the legal supply chain, widely used for the illegal exploitation of alluvial gold, as it contaminates and degrades the environment and poses serious risks to human health among vulnerable members of society, in particular women and children, and future generations,

1. *Recognizes* that illicit trafficking in wild fauna and flora, including timber and timber products, and the illegal mining of and illicit trafficking in minerals and precious metals, as well as illicit trafficking in waste, may constitute crimes that affect the environment of a serious nature and are increasingly being exploited by transnational criminal organizations as a source of significant profit of their operations;

2. *Also recognizes* the economic, social and environmental impacts of crimes that affect the environment, where firm and strengthened action needs to be taken in countries of supply, transit and demand to tackle transnational organized crimes that affect the environment, and re-emphasizes the importance, in that regard, of effective international cooperation among Member States, based on the principle of shared responsibility and in accordance with international law;

3. *Further recognizes* therefore the need for a balanced approach to tackling crimes that affect the environment, whereby enforcement is complemented by action to raise awareness and reduce demand, as well as action to enhance the provision of adequate means of implementation;

⁸ United Nations, *Treaty Series*, vol. 2225, No. 39574.

⁹ *Ibid.*, vol. 2349, No. 42146.

4. *Urges Member States to undertake or increase efforts to raise awareness about and address the problems and risks associated with the supply and transit of and demand for illicitly trafficked wild fauna and flora, timber and timber products, and minerals and precious metal products, and to devote resources for those purposes, including by improving cooperation with all relevant stakeholders;*

5. *Also urges Member States, in accordance with their domestic law, legal systems and international obligations, to provide one another with the broadest possible assistance, including mutual legal assistance, as appropriate, within their financial means, to enhance the effectiveness of action aimed at tackling illicit trafficking in wild fauna and flora, including timber and timber products, and the illegal mining of and illicit trafficking in minerals and precious metals, as well as illicit trafficking in waste and other crimes that affect the environment;*

6. *Encourages Member States to take the necessary and appropriate measures to ensure the consistency and compatibility of their relevant domestic legal frameworks, on a mutually agreed basis and where possible, in order to establish the criminalization, where appropriate, of the mining, possession, import, export, transport, buying or selling of minerals and precious metals obtained without proper legal authorization, including appropriate exploration and mining licenses or mineral transportation and other relevant permits, as well as the criminalization of the forgery or unlawful alteration of documents related to those crimes;*

7. *Also encourages Member States to take the necessary and appropriate measures to ensure the consistency and compatibility of their relevant domestic legal frameworks, on a mutually agreed basis and where possible, in order to establish the criminalization, where appropriate, of the capture, collection, exposure for sale, import, export, purchase, sale, delivery, transportation, transfer, receipt, acquisition, possession or holding in custody of specimens of wild fauna and flora, including timber and timber products, without legal authorization, as well as the criminalization of the forgery or unlawful alteration of documents related to those crimes;*

8. *Further encourages Member States to establish, in accordance with their national legislation, where appropriate, the illegal mining of and illicit trafficking in minerals and precious metals as serious crimes, as defined in article 2 (b) of the United Nations Convention against Transnational Organized Crime, and to take suitable measures, where the offence is transnational in nature and involves an organized criminal group, to prevent and combat the illegal mining of and illicit trafficking in minerals and precious metals;*

9. *Calls upon Member States to establish illicit trafficking in protected species of wild fauna and flora and other crimes that affect the environment, such as trafficking in wildlife, timber and hazardous wastes, involving an organized criminal group as serious crimes, in accordance with their national legislation and article 2 (b) of the Organized Crime Convention;*

10. *Encourages Member States to develop or amend their national legislation, as necessary and appropriate, in accordance with the fundamental principles of their domestic law, so that the illegal mining of and illicit trafficking in minerals and precious metals can be considered as predicate offences, as defined in the Organized Crime Convention and as mandated in its article 6, for the purposes of money-laundering offences and are actionable under domestic legislation on proceeds of crime, so that assets derived from such crimes can be seized, confiscated and disposed of;*

11. *Also encourages Member States to develop or amend their national legislation, as necessary and appropriate, in accordance with the fundamental principles of their domestic law, so that trafficking in wild fauna and flora, including timber and timber products, can be considered as a predicate offence, as defined in*

the Organized Crime Convention and as mandated in its article 6, for the purposes of money-laundering offences and are actionable under domestic legislation on proceeds of crime, so that assets derived from such crimes can be seized, confiscated and disposed of;

12. *Further encourages* Member States, within their means, to cooperate with each other in providing technical assistance in relation to illicit trafficking in minerals and precious metals to law enforcement personnel in terms of identifying, investigating, taking samples, dispatching samples to laboratories for analysis, recording and reporting seizures and producing relevant statistics on seizures and prosecutions at the national level, as well as through financial investigation techniques that take into consideration, where appropriate, relevant international standards and through the establishment of multi-agency and joint investigations;

13. *Encourages* Member States, in accordance with their domestic law, to work in cooperation with each other and with relevant organizations and stakeholders to identify and promote the use of solutions that utilize technology, in particular in regard to illicit trafficking in wild fauna and flora, including timber and timber products, and in minerals and precious metals, as well as illicit trafficking in waste and other crimes that affect the environment, in order to promote identification, traceability and authentication for forensic science applications to support criminal prosecutions, while respecting applicable international trade rules and agreements;

14. *Also encourages* Member States, where relevant and appropriate, to enhance cooperation for the timely and cost-efficient repatriation of live illegally traded wildlife, including eggs, consistent with the Convention on International Trade in Endangered Species of Wild Fauna and Flora,¹⁰ and also, where relevant and appropriate, to enhance information-sharing among national and international authorities on the seizure of illegally traded wildlife and wildlife products in order to facilitate follow-up investigation and prosecution;

15. *Urges* States, in that regard, to adopt concrete and effective measures to recover and return, in appropriate cases, the proceeds of and assets derived from such crimes, in accordance with the Organized Crime Convention and the United Nations Convention against Corruption, and emphasizes the importance of enhancing measures for the recovery and return of those assets and proceeds;

16. *Encourages* Member States, in accordance with their national law, to investigate, as appropriate, the financial aspect of crimes that affect the environment, and encourages the increased use of financial investigation techniques, including through the establishment of multi-agency and joint investigation teams, and public-private collaboration, where appropriate, to identify criminals and their networks;

17. *Also encourages* Member States to increase international cooperation in order to strengthen the appropriate capacity of law enforcement agencies to monitor and investigate illegal online trade that facilitates illicit trafficking in wildlife, timber and timber products, minerals, precious metals and waste, including hazardous waste, collect and analyse relevant evidence, including through the use of digital forensics, and develop enforcement countermeasures, including, when relevant, by engaging in public-private collaboration and supply and demand reduction efforts in order to establish strategies to prevent illegal online trade;

18. *Welcomes* the establishment, in accordance with Conference of the Parties to the United Nations Convention against Transnational Organized Crime resolution 12/4, of the open-ended intergovernmental expert group on crimes that affect the environment, whose mandate is: (a) firstly, to take stock of the application and

¹⁰ Ibid., vol. 993, No. 14537.

collective implementation of the Convention in addressing such crimes; (b) secondly, to identify any gaps that may exist in the international legal framework and that could be addressed under the Convention to prevent and combat such crimes; and (c) thirdly, to consider possible responses relevant to those gaps, including the possibility, feasibility and merits of any additional protocol to the Convention, and which is also to submit a summary of the deliberations and any consensual recommendations to the Conference at its thirteenth session;

19. *Encourages* Member States to give special consideration, at the Fifteenth United Nations Congress on Crime Prevention and Criminal Justice, to be held in the United Arab Emirates in 2026, to the challenges posed by crimes that affect the environment;

20. *Also encourages* Member States to continue considering all aspects of the fight against crimes that affect the environment, including possible responses to those crimes, in the appropriate forums, giving due consideration to the work of the open-ended intergovernmental expert group on crimes that affect the environment and to the summary that is to be submitted to the Conference of the Parties to the Organized Crime Convention at its thirteenth session;

21. *Encourages* States Parties, when responding to the self-assessment questionnaires for the review of the implementation of the Organized Crime Convention and its Protocols, to provide, on a voluntary basis, any relevant information regarding their national measures to tackle crimes that affect the environment;

22. *Invites* Member States and other donors to provide extrabudgetary resources for the purposes set out in the present resolution, acknowledging that such extrabudgetary resources are subject to the rules and procedures of the United Nations, and requests the United Nations Office on Drugs and Crime to utilize any such extrabudgetary resources efficiently and effectively.
