



The International Legal Framework for the Protection of Wildlife

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Abstract: *The danger to ecology has become a serious problem, and urgent attention is now being paid to it in most of the world. To maintain the ecological balance Wildlife Protection is also one important aspect. Wildlife and habitat conservation has become increasingly important in the 21st century. Destruction and loss of habitat, illegal use of wildlife, over-exploitation of resources, and lack of conservation, and awareness, harm biodiversity and ecosystems. The wildlife carrying capacity in many protected areas will significantly reduce due to global warming, pollution, invasive species, and illegal hunting. For global conservation, a sustainable approach means that strict legislation and ethics have to be developed, along with regulating human attitudes. Conservation education and outreach techniques including learning and thinking developing skills and undertaking activities are described. The international legal instruments provide a framework for national and regional efforts to conserve wildlife and ensure its sustainable use for present and future generations. The international legal framework for the protection of wildlife is a complex and evolving system of treaties, conventions, and other agreements designed to safeguard animal and plant species from the threats of extinction, habitat loss, and unsustainable exploitation. Internationally many efforts have been made in this era the object of this research paper is to discuss the international measures and the laws which have been enforced from time to time in different countries to protect wildlife. In this paper, the researcher discusses the various international conventions & organisations bent on control of international wildlife crime. The researcher also discusses the control measures undertaken to curb international wild crimes, the challenges, and a conclusion and recommendations.*

Keywords: Conventions, Exploitation, Wildlife crimes, International, Legal Framework.

1. Introduction

The environment is made up of four major components viz: land, water, air and the living organisms consisting of plants and animals. Of these, the first three components make up the physical environment, whereas the plants and animals form the organic or biological environment. Both the physical and biological environment are essential for the well-being of human life on this planet. While the physical environment provides mankind with the necessities of life, the biological environment provides the life-supporting system.¹ As we embark on the 21st century we face several growing challenges some of which include wildlife species and habitat and ecosystem destruction. Conservation of these species and ecosystems is therefore becoming increasingly important. This is evident in the continuing wide-scale destruction and loss of habitat, illegal use of wildlife, and lack of conservation awareness and understanding which has impacted negatively on biodiversity and ecosystem.² Wildlife is an integral part of the forest and an important ingredient of the environment so it is necessary to protect the wildlife.

Wildlife conservation has scientific, legal, and economic components. All these aspects should be considered for its successful conservation. In ancient times the need to protect wildlife was received solely in human terms which resulted in the protection of the animals and plants in a natural state but very few laws were made specifically for the protection of wildlife. The disturbance in the ecological balance later attracted the attention of the international community towards the protection of the environment which includes wildlife. Different countries have formulated different laws for the protection of wildlife.³ International wildlife law encompasses a set of agreements, treaties, and regulations designed to protect species, habitats, and ecosystems across national boundaries. Unlike domestic environmental laws, which are enforceable within a particular country, international wildlife law relies on the cooperation of multiple nations to implement and enforce these regulations.

The International Conference on Human Environment in 1972, at Stockholm was the turning point in International environmental law. It was the first time that world nations gathered at a place under UN leadership to evolve a common strategy to combat environmental degradation, pollution and ecological imbalance.⁴ If the “Stockholm Declaration” was the Magna Carta for international environmental laws, then CITES was the Grund norm for international wild animal law.⁵ In India, the concept of wildlife law is new compared to European and American countries. Though the sources of wildlife conservation laws in India are mainly common laws, statutory laws and judicial presidents’ legislature and Judiciary mainly follow the principle of International Law.

¹ S.S.Negi “*Environmental Degradation and Crisis in India*” 68 (Indus Publishing Company, New Delhi, 1991).

² A. Meadows, “Wildlife Conservation Education and International Programmes, 21 *The Journal of Animal and Plant Sciences*, 305 (2011).

³ Mona Purohit, *Wildlife Laws and its Impact on Tribes*, 1-2, (Deep & Deep Publications PVT. LTD., New Delhi, 2007).

⁴ Satish C. Shastri, *Environmental Law*, 454-456 (Eastern Book Company, Lucknow, 2015).

⁵ Partha Pratim Mitra, “Development of Wild Animal Protection Laws: National and International perspective” 10 *CLJ* 251 (2016).

Numerous multilateral treaties were made relating to the conservation of wild animals and their habitat.⁶ The preambles to several wildlife treaties bind their Parties to very strong conservation principles.⁷

2. Key International Conventions: The enactment of national legislation to protect wildlife and the environment generally can be traced back to antiquity with forestry conservation laws adopted in Babylon in 1900 BC and a law for the establishment of nature reserves promulgated in Egypt in 1370 BC. In England, in the 11th century, William and Conqueror imposed the death penalty for killing royal deer although this was clearly to protect his hunting rights rather than the rights of the deer. All the international laws relating to wildlife may be categorized into two types where one is related to the protection of habitats or wild animals in general like conservation relative to the preservation of fauna and flora in their natural state and the second type of international convention or treaties are mainly based on the protection of wild species directly like convention on the conservation of migratory species of wild animals.⁸

2.1 Preservation of Fauna and Flora in Natural State, 1933: In the modern era, this Convention was probably the first effective international convention. On 8 November 1933, the Convention Relative to the Preservation of Fauna and Flora in their Natural State was adopted. It is also known as the London Convention. It entered into force on 14 January 1936. The scope of this convention was extended to include plant species. While its objectives remained utilitarian- to preserve supplies of economically valuable species and popular with trophy hunters. It rejected the concept of nuisance species. The convention was the very first binding legal instrument to provide for the creation of protected areas in Africa such as national parks and nature reserves. After the Second World War, to review the London Convention in light of acquired experience a conference was held in Bukavu, in 1953. One of the major recommendations was on the preparation of another convention that would address the essential elements of general policy for the protection of nature in Africa taking into consideration the main interest of African people. A group of experts met in 1957 to examine the implementation of these recommendations. However, these efforts were overtaken by the process of decolonization in the continent.⁹

2.2 Convention on Natural Protection and Wildlife Preservation in the Western Hemisphere: The Convention on Nature Protection and Wildlife Preservation in the Western Hemisphere was adopted through efforts led by the Pan-American Union. It was a Revolutionary instrument containing the principle means of modern conservation: establishment of protected areas, protection of migratory, and endangered species, monitoring and regulation of international trade in wild plants and animals.¹⁰ One particularly interesting aspect

⁶ *Id* at 250.

⁷ Simon Lyster, *International Wildlife Law An Analysis of International Treaties Concerned With The Conservation of Wildlife* 8 (Grotius Publications Limited, Cambridge, 1985).

⁸ *Supra* note 5.

⁹ An introduction of the African Convention on the Conservation of Nature and Natural Resources, IUCN Environmental Policy and Law, Paper No. 56.

¹⁰ Alexandre Kiss and Dinah Shelton, *International Environmental Law*, 269 (Transnational Publishers, Inc. New York, 1991).

of the convention is the series of definitions that Art I gives to different categories of protected zones, also indicating the legal regimes governing them. For example; national parks, national reserves, nature monuments, etc. National parks are areas placed under public control for the protection and preservation of superlative scenery and wildlife of national significance. No hunting, killing, or capturing of fauna or destruction or collection of flora is permitted. National reserves are regions established for the conservation and utilization of natural resources. under government control protection is afforded in so far as is consistent with the primary purpose of the reserves. Nature monuments benefit from strict protection. the purpose is to set aside as inviolate an area, object or species of flora or fauna, due to aesthetic, historic, or scientific interest.¹¹

States parties to the Convention are required to immediately explore the possibility of establishing such zones and notifying the Pan-American Union today the organization of American states of their establishment.¹² Once established, the resources of national parks cannot be exploited for commercial profit and boundaries can be altered only by legislation. in addition, the conservation calls upon States to adopt laws and regulations to protect the preserve all flora and fauna within their territories whether or not in protected areas, as well as natural scenery, striking geological formations, and regions and natural objects of aesthetic interest or historic or scientific value.¹³ International cooperation and assistance also is foreseen. Moreover, special measures must be adopted to protect migratory birds.¹⁴ Finally, state parties must take measures to control and regulate the importation, of flora and fauna or any part thereof. A system of export certificates is established by Art. IX of the Convention.

2.3 International Convention on Regulation of Whaling, 1946: : The International Convention for the Regulation of Whaling is an international agreement that was signed by 42 nations in Washington, D.C. on 2nd December 1946, to make whaling sustainable for a better future. This convention came into effect on 10 December 1948. originally signed by most of the major whaling States. It has overseen most of the world's whaling activities since it came into force till the present day. The Whaling Convention established the International Whaling Commission (IWC) which meets annually and adopts regulations on the catch limits, protected species, and whaling methods. It governs the commercial, scientific, and aboriginal substance whaling practices between member countries. Later a protocol relating to whaling was signed in Washington on 19 December 1956 between the member countries. Before this convention, an international Agreement for the Regulation of whaling was signed in London on 8 June 1937 and the protocol relating to that agreement was signed in London on 24 June 1938 and 26 November 1945. The IWC was established by the 1946 International Convention for the Regulation of Whaling, where Article 65 states cooperation in the management of marine mammals. the 15 original signatories of the convention all historically had an interest in whaling, but the vast majority of the parties are now whaling states. Indeed, the voting record at the IWC meeting suggests that most

¹¹ The Convention on Nature Protection and Wildlife Preservation in the Western Hemisphere, art. I

¹² *Id.*, art. II.

¹³ *Id.*, art. V.

¹⁴ *Id.*, art. VII.

of the 18 States that joined the convention between March 1979 and the IWC meeting in 1982 did so with the express object of bringing commercial whaling to an end. a moratorium on commercial whaling was considered and rejected by several IWC meetings in 1982. The fact that the 1982 meeting finally agreed to stop commercial whaling, at least temporarily from 1986 is as much an indication of the voting power of these new parties as of any change of heart by the whaling states.¹⁵

2.4 International Convention for the Protection of Birds, 1950: This convention was adopted by member countries on October 18, 1950 at Paris in France. The main objective of this convention was to give protection to all the birds during their flight toward their breeding ground and to protect the endangered species throughout the year. It was also decided that measures should be taken to prohibit the destruction of eggs or their shell and the taking of young birds. The restriction was imposed on certain methods of hunting, snares, nets, poisoned bait, blinded decoy-birds, etc. It was also decided in this convention that each party would draw up lists of birds that may be lawfully taken or killed in compliance with the convention. Parties also agreed on taking measures to prevent the destruction of birds due to water pollution, electric cables, insecticides and poisons and to educate children and the public on the need for the protection of birds. It is on one of the earliest international provisions of this kind where parties are called upon to educate the public on the need to preserve and protect Birds.¹⁶

2.5 The Convention on Wetlands of International Importance, 1971: The main objectives of this convention are to conserve and wise use of the wetlands and their flora and fauna by combating far-sighted national policies with coordinated international action. It also recognizes that wetlands constitute a resource of great economic, cultural, scientific and recreational value the loss of which would be irreplaceable and that it is “a regulatory of water regimes and a habitat supporting characteristics flora and fauna, especially waterfowl”.¹⁷ The convention provides that the contracting parties shall- designate such land as wetlands with precise boundaries which have international significance in terms of ecology, limnology and hydrology.¹⁸ Formulate and implement planning to promote the conservation of the wetlands and their wise use.¹⁹ Establish a nature reserve on the wetland and to compensate for any loss of wetland resources, increase the waterfall population through management, promote the training of personnel competent in wetland research management and wandering.²⁰ Consult each other about implementing obligations arising out of the convention especially when wetland extends over territories of more than one contracting party.²¹

¹⁵ *Supra* note 5 at 131.

¹⁶ Philippe Sands and Jaqueline, Peel *Principle of International Environmental Law* 505 (Cambridge University Press, New York, 2012).

¹⁷ *Supra* note 4 at 458.

¹⁸ The Convention on Wetlands of International Importance, 1971, art. 2.

¹⁹ *Id.*, art. 3.

²⁰ *Id.*, art. 4.

²¹ *Id.*, art. 5.

2.6 Convention for the Protection of the World Cultural and Natural Heritage, 1972: The convention is held under the auspices of the General Conference of UNESCO in Paris from 17 October to 21 November 1972. In November 1992 the Convention was ratified by 129 nations in which India was also a party.²² The purpose of this convention was mainly to protect the physical and biological formations of nature which have universal value from the aesthetic or scientific point of view. Natural Heritage sites are nature's laboratories for the evolution of wild species in response to changes in environmental conditions. Geological and physiographical formations and precisely delineated areas constitute the habitat of threatened species of animals and plants of outstanding universal value from the point of view of science of conservation.²³ The obligations concerning conservation are spelt out in articles 4 and 5 of the convention. Parties must do all they can do to ensure the identification, protection, and transmission of the natural heritage, which surely now includes its biodiversity, to future generations, using to the utmost their own resources and, when appropriate and obtainable, international financial, scientific, and technical aid and cooperation. They must adopt protective policies such as setting up management services for conservation, carrying out relevant research to remove threats, taking out appropriate measures, and instituting training.²⁴

2.7 Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES): The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) seeks international cooperation to protect listed wildlife species from threats of over-exploitation, including their trade.²⁵ In 1960, these problems were first internationally discussed at the 7th General Assembly of the International Union for Conservation of Nature and Natural Resources (IUCN). The IUCN passed a resolution in 1963 calling for an international convention on regulations of the export, transit, and import of rare or threatened wildlife species or their skins and trophies. A first draft appeared in 1964 and at the 1969 General Assembly, a list of species to be controlled (trade) was presented. In 1972, the United Nations Stockholm Conference on the Human Environment adopted recommendation 99.3, in response to which 88 countries discussed a draft convention at a plenipotentiary conference held in Washington D.C. in February-March 1973. CITES was originally signed by 21 countries on 3rd March 1973, and came into force after the tenth ratification on 1st July 1975.¹ From the aforesaid date, the world has seen many changes in the field of wildlife conservation.²⁶

The basic principles of CITES are quite straightforward. It regulates international trade in wild animals and plants which are listed in the three Appendices to the Convention. The Convention is a protectionist with a few exceptions, international commercial trade in species threatened with extinction, secondly, it is a trading treaty because it allows a controlled international trade, thirdly it provides a mechanism whereby a party has domestic

²² Mona Purohit, *Wild Life Laws and Its Impact on Tribe 5* (Deep and Deep Publications, New Delhi, 2007)

²³ Convention for the Protection of the World Cultural and Natural Heritage, 1972, art. II.

²⁴ P.W.Birnie and A.E.Boyle, *International Law and The Environment*, 67 (Oxford University Press, 2004).

²⁵ Ravi Sharma Aryal, "CITES towards its Future Regime" 13 *NJA Law Journal* 57 (2019).

²⁶ *Id* at 58.

legislation regarding the export of species.²⁷ Appendix I includes all species threatened with extinction that are or may be affected by trade. Trade in specimens of the species must be subject to particularly strict regulation in order not to endanger further their survival and must only be authorized in exceptional circumstances. Appendix II lists species that could become threatened if trade in them is not controlled. It is intended to regulate international trade in Species which are not sufficiently endangered to warrant inclusion in Appendix I, but which could become endangered unless trade in them is controlled. Its purpose is also to control trade in Species that are similar in appearance to and could be confused with, those listed in Appendix 1. Appendix III includes all species which any party identifies as being subject to regulation within its jurisdiction to prevent or restrict exploitation, and as needing the cooperation of other parties in the control of trade.²⁸

Export, import, and re-export of these species shall be with a prior permit obtained for that purpose. Each consignment shall require a separate permit. such format will generally be granted where the scientific authority satisfies themselves that such import or export shall not be detrimental to the survival of that species and would involve minimal risk of injury, damage to health or cruel treatment and that specimen should not be used for commercial purposes.²⁹ The convention has also called upon the States to make domestic laws for restricting or prohibiting trade, taking position or transport of specimen of species and penalties for the contravention of such provisions.³⁰

CITES is both a trade-related and a conservation convention, and it works alongside the World Trade Organisation and several multilateral environmental agreements, such as the Convention on Biological Diversity. CITES uses trade-related measures to achieve its conservation objectives, which is to ensure that wildlife animals and plants- are not exploited unsustainably through international trade. The convention is legally binding, and each Party must adopt national legislation to implement provisions.³¹ Recognises that “commercial trade may be beneficial to the conservation of species and ecosystem, and to the development of local people when carried out at levels that are not detrimental to the survival of species in question”. Well-regulated trade in wild fauna in flora can be an incentive for wildlife conservation and sustainable management and can have a significant positive economic impact on local livelihood.³²

The CITES Secretariat regularly monitors the interstate trade in wildlife products through the CITES certificates issued by various parties. The main responsibility of implementing its provisions in India vests with the Customs Authorities who are empowered to adjudicate the cases of violation of CITES.³³ India was one of the earliest members of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, thereby pledging international support to CITES. Both in its domestic and international policy on wildlife, India has

²⁷ Ravi Sharma Aryal, “CITES Obligations: Is Wildlife (Protection) Act, 1972 Capable To Deal With It?” 5 *National Capital Law Journal* 76 (2000).

²⁸ Menka Gandhi and Ozair Hussain, *Animal Laws in India* 527-528 (Universal Law Publishing, Delhi, 2001).

²⁹ CITES, art. III-V.

³⁰ *Id.*, art. XIV.

³¹ J.Stahl and T. De Meulenaer, “CITES and the international trade in wildlife” 68 *An International Journal of Forestry and Forest Industries* 20 (2017).

³² *Ibid.*

³³ S.C. Sharma, “Wildlife Crime- Origin and Emerging Trends” IX *CBI Bulletin* 5 (2001).

retained the strong conservation ethics that are part of the country's history and tradition.³⁴ The major Amendment in the Wildlife (Protection) Act in 2022 also introduces chapter VB which covers various regulatory aspects related to the Convention on International Trade in Endangered Species of Wild Fauna and Flora. CITES species are also included in the new schedule IV. This chapter covers section 49D to section 49R.

Non-governmental organizations play an important role in the Convention on International Trade in Endangered Species of Wild Fauna and Flora process by attending conferences of the parties and other committees of the Convention on International Trade in Endangered Species of Wild Fauna and Flora where they cannot vote but can take part in the debate. Substantial knowledge and force of arguments are contributed to the Convention on International Trade in Endangered Species of Wild Fauna and Flora process in this manner. From India, the only non-governmental organisation that has contributed to the Convention on International Trade in Endangered Species of Wild Fauna and Flora process for many years is Wild Life Trust of India.³⁵

2.8 Convention on the Conservation of Migratory Species of Wild Animals, 1979: The convention aims to protect the migratory species, habitats of migratory species so that they do not become endangered. The party states are required to cooperate and to take appropriate and necessary steps to conserve such species in their habitat and support research in this field. Appendix I has provided a list of endangered species which includes 'Mammalia' and 'Reptilia' families. Appendix II includes all migratory species which have an unfavorable conservation status and which require international agreement and protection for their conservation and management. The taking of endangered species is strictly prohibited unless it is for scientific purposes, to enhance the propagation or survival of the affected species, or to accommodate the needs of traditional subsistence users, or if extraordinary circumstances so require.³⁶

2.9 Convention on Biological Diversity, 1992: The convention aims to develop national strategies, plans, and programmes for conservation and sustainable use of biodiversity.³⁷ Article 8 provides for *in-situ conservation* strategy and establishes protected areas where special measures need to be taken to conserve biological diversity. Similarly, Article 9 provides for *ex-situ* conservation measures which include measures to establish and maintain facilities for *ex-situ* conservation and research on plants, animals and microorganisms preferably in the country of origin of genetic resources. It also has provisions to encourage customary use of biological resources by traditional cultural practices that are compatible with conservation on sustainable use requirements.³⁸ There are also provisions for 'incentive measures', research and training, public education, and awareness, and to introduce 'impact assessment' of projects which are likely to have significant adverse effects on biological diversity with

³⁴ Rajan Dahiya, "Wildlife Protection Laws- Purpose and Implementation" IX *CBI Bulletin* 45 (2001).

³⁵ Tariq Aziz, "CITES: Convention on Trade in Endangered Species of Wild Fauna and Flora" IV *CBI Bulletin* 10 (1996).

³⁶ *Supra* note 4 at 458.

³⁷ Convention on Biological Diversity, 1992, art. 6

³⁸ *Id.*, art. 10(c).

the view to avoid or minimize such effects and to allow public participation in such procedure.³⁹ Article 16 also provides for access to and transfer of technology among the nations and Article 19 makes it obligatory to provide advanced priority access or a fair and equitable basis of the results and benefits arising from biotechnology based upon genetic resources. It also advocates to encourage and develop, in accordance with national legislation and policies, the use of technologies, including indigenous and traditional technologies.⁴⁰

3. Role of International Organizations: The history of wildlife conservation is a long one and is filled with struggle. Several international organizations were established through international conventions and agreements and some pioneering efforts were also taken by environmentalists and social activists at the international level as well as at the regional level for conservation of wildlife. Some organizations played a major role in wildlife conservation with great efforts at the international level.

3.1 International Union for Conservation of Nature and Natural Resources (IUCN): The International Union for the Conservation of Nature is one of the most important organizations operating at the international level. It is also known as the World Conservation Union, founded in 1948. This is a federative membership organization consisting primarily of Governments or their agencies but also includes scientific professional and conservative bodies such as the World-Wide Fund for Nature (WWF) with which IUCN has a close Association. It is something of a hybrid organization, neither exclusively intergovernmental nor wholly Nongovernmental. IUCN has a small secretariat located in Gland, Switzerland, and an environmental law centre in Bonn, which inter alia provides a repository of legal information available to members. many leading Legal Experts serve on its International Council of Environmental Law. A general assembly of all members delegates every 3 years Resolutions that members adopted are presented to governments and relevant bodies, but it operates mainly through numerous standing commissions and committees. the formal includes ecology, national parks, Protected areas, environmental policy, law and administration, species survival, and environmental planning. Iucn was also instrumental in drafting the World Charter for Nature adopted by the UN General Assembly in 1982. IUCN's mission is primarily to provide advice and expertise it helps governments develop international declarations and conventions.⁴¹

IUCN-SSC (Species Survival Commission): IUCN set up a monitoring Commission for the protection and preservation of natural resources in the world and finally Species Survival Commission (SSC) was established in 1949 which was previously known as the Survival Service Commission. SSC started the collection of data of endangered and vulnerable species throughout the world and it has the main aim to maintain the biodiversity of wild species in the world. The specialist group under IUCN-SSC prepared an overall system for developing and promoting a conservation action plan. In 1966 SSC published the Red Data Book about the compilation of extinct, vulnerable and rare animal' species to the attention of the secretariat of CITES. Again in 1978, IUCN

³⁹ *Id.*, art. 14.

⁴⁰ *Id.*, art. 18(4)

⁴¹ P.W. Birnie and A.E. Boyle, *International Law and The Environment*, 67 (Oxford University Press, 2004).

3.2 Trade Record Analysis of Flora and Fauna in Commerce (TRAFFIC): The TRAFFIC is a very important specialist group under the auspices of the IUCN which was established to collect records regarding wildlife trade and smuggling in different countries. After getting fund from IUCN and the WWF and other international sources TRAFFIC is working as a watchdog to record wildlife crime and infringement of provision of the CITES. IUCN-SSC recognizes TRAFFIC as its primary source for expertise in wildlife trade and TRAFFIC also recognizes the IUCN-SSC as an expert on the biological status of wild species. TRAFFIC, reports on the data gathered and provides analysis of wildlife trade statistics and publicizing this trade in itself provides one of the most effective controls on it.⁴³

3.3 World Heritage Committee (WHC): The World Heritage Committee was established on the basic principle of the World Heritage Convention in 1972. this committee is the executive body of the World Heritage Convention and provides all sorts of assistance and is responsible for allocating finance from the World Heritage Fund which was created for the protection and conservation of Heritage Sites all over the world. this committee designates heritage sites based on technical evaluation reports of the IUCN and at the same time, the IUCN accepts the responsibility to encourage the nomination of those areas which hold universal value.⁴⁴

3.4 World Wild Fund for Nature (WWF): WWF-International was formed in 1961. Its headquarters at Gland, Switzerland, and is controlled by a board of international Trustees. WWF has supported several conservation projects in India the most spectacular is Project Tiger which is the single largest conservation project of its kind in the world. The other conservation projects supported by WWF in India include the Gir Ecological Research Project, Project Hungul and Himalayan Musk deer as a part of the threatened deer programme of IUCN and. Significant contribution of WWF India is in the organization of 'Conservation Education Programmes' in educational institutions. As part of youth movement Nature Club of India has been set up in four different regions.⁴⁵

3.5 International Consortium on Combating Wildlife Crime (ICCWC): In November 2009 representatives from the CITES Secretariat, the INTERPOL, UNODC, WCO, and IBRD Decided in Vienna to form the International Consortium on Combating Wildlife Crime (ICCWC) to jointly move forward in a coordinated manner with mandates in law and enforcement and criminal justice to prevent and combat illegal trade in wild animals and plants. the ICCWC is the first initiative where these 5 international agencies cooperate towards crime against animal birds and fish as well as timber and non-timber forest products to achieve a common goal

⁴² Anwar Sadat, "Role of IUCN in Governance of Biological Resources" 45 *IJIL* 515 (2005).

⁴³ Patricia Birnie, Alan Boyle and Catherine Redgwell, *International Law and The Environment*, 690 (Oxford University Press, New York, 2009).

⁴⁴ *Supra* note 42.

⁴⁵ P.R.Trivedi, Gurdeep Raj, *Environmental Wildlife and Plant Conservation*, 266 (Akashdeep Publishing House, New Delhi, 1992).

of delivering multi-agency support to affected countries. The mission of the ICCWC is to strengthen criminal justice systems and provide coordinated support at national, regional, and international levels to combat wildlife and forest crime. At the 19th meeting of the Conference of the Parties to CITES (CoP19), ICCWC launched the ICCWC Vision 2030 and its associated Strategic Action Plan for 2023-2026. Vision 2030 outlines how ICCWC will work towards a world free of wildlife crime by 2030, following a Theory of Change designed to support and strengthen wildlife authorities, police, customs, and criminal justice systems to ensure that they effectively respond to the threat.⁴⁶

3.6 United Nations Office on Drugs and Crime (UNODC): UNODC addresses wildlife crime using a crime scene-to-court approach, supporting Member States to more effectively prevent, identify, investigate, prosecute, and adjudicate wildlife crime. UNODC assists the entire criminal justice chain, in addition to supporting Member States to strengthen their preventive response. UNODC's technical assistance on these issues is coordinated and delivered by the Global Program and based on evidence, lessons learned, and good practices. The Environment Team liaises closely with UNODC Country and Regional Offices and coordinates internally to leverage other areas of expertise within UNODC to ensure appropriate support for the design and delivery of technical assistance. For example, the Environment Team has strong partnerships with UNODC's Corruption and Economic Crime Branch to help Member States prevent corruption and combat economic crime linked to crimes that affect the environment; with UNODC's Organized Crime Branch to develop a series of legislative guides to combat crimes that affect the environment; and with the Research and Trends Analysis Branch to conduct global research and develop wildlife forensic capacity.⁴⁷

4. Challenges in the Implementation of International Wildlife Law⁴⁸: Despite the existence of these international treaties, enforcing wildlife protection across borders can be complex. Several key challenges hinder the effectiveness of international wildlife law:

4.1 Lack of Enforcement: Many countries lack the resources or political will to enforce the provisions of international treaties. Even with agreements in place, illegal poaching, deforestation, and habitat destruction continue.

4.2 Coordination Between Nations: Wildlife conservation requires cross-border cooperation, which can be strenuous and sometimes near-impossible to achieve. Political tensions, economic interests, and differing priorities can prevent countries from working together effectively.

⁴⁶ International Consortium on Combating Wildlife Crime, available at <https://cites.org/eng/prog/iccwc> (Last Visited in December 2023).

⁴⁷ Office on Drugs and Crime, available at <https://www.unodc.org/unodc/en/environment-climate/wildlife.html> (Last Visited in December 2023).

⁴⁸ International Wildlife Law: Protecting Global Biodiversity, available at <https://environmentallaw.lclark.edu/blog/international-wildlife-law-protecting-global-biodiversity/> (Last Visited in November 2024).

4.3 Climate Change: Rapid environmental changes caused by climate change are putting additional pressure on wildlife populations. Shifting ecosystems, changing migration patterns, and more frequent extreme weather events are making it harder to protect species that are already vulnerable.

4.4 Illegal Wildlife Trade: The global black market for wildlife products—such as ivory, rhino horns, and exotic pets—remains a major threat to many species. Although CITES has made progress in reducing illegal trade, the demand for these products continues to fuel poaching and trafficking.

5. Conclusion

Protecting wildlife requires long-term commitments from governments, businesses, and civil society. As the effects of human development continue to intensify, the global community needs to strengthen international wildlife law and close gaps in enforcement. International wildlife law offers the tools and structure to protect species and ecosystems. Still, its success depends on sustained global cooperation and a willingness to put biodiversity at the forefront of international policy. By working together, nations can preserve the natural world for future generations and ensure that biodiversity thrives in a rapidly changing world.

