Each year, billions of dollars in illegally harvested or taken wildlife and wild plant products move across borders, often through the activities of global criminal networks that also trade in illicit arms and drugs. This global trafficking problem has implications for world trade and the environment, and the United States views the Trans-Pacific Partnership (TPP), a regional agreement that it is negotiating with Australia, Brunei, Chile, Malaysia, New Zealand, Peru, Singapore, and Vietnam, as a unique opportunity to tackle this issue and other trade-related environmental challenges. As they advance their common interests in enhancing trade and investment and promoting economic growth and jobs, the TPP partners can include as an integral part of this strategy a coordinated response to harmful illegal wildlife and wild plant trade.

Trade Challenges

Most estimates suggest that illegal trade in wildlife and wild plant products – which can involve forest products illegally harvested from protected tropical hardwood forests, or endangered wildlife poached in violation of national and international legal requirements, or coastal and deep seas fishing fleets hauling in catch through illegal fishing activities – amounts to many billions of dollars a year globally. INTERPOL has reported that illegal wildlife crime could be worth as much as $20 billion a year, and much of this is believed to involve movement across borders.

Illegal logging activities include unauthorized logging in protected areas or indigenous lands, exceeding timber concession limits, removal of protected timber species and other violations of national laws. The Asia-Pacific region has attracted significant attention with respect to illegal logging and associated forest degradation and deforestation. Trade in timber products in the region is substantial and some share of this trade -- possibly a significant proportion -- involves products obtained from illegally-harvested forests. Timber producing countries, including TPP partners, reportedly lose substantial revenue to illegal logging, with estimates as high as $6 billion a year. Products from illegally-harvested timber span the entire value chain, from logs and sawn timber to wood flooring and furniture. This illegal trade can have substantial negative environmental and economic impacts, undermining good forest management, decreasing habitat for wildlife, and distorting prices for products that are manufactured from legally-harvested timber resources.
Illegal trade in wildlife is significant worldwide. Its global scale presents several potential threats to both the environment and regional security, including loss of biodiversity, introduction of invasive alien species and growth of global criminal networks. The TPP countries are source, transit or destination countries for this illegal trade, and the region includes primary trading routes for illegal trade ranging from rhino horn, live tiger cubs and tiger parts for medicinal purposes, to tortoises, snakes, iguanas, exotic pets and much more. Each of the TPP countries has a vested interest in protecting its wildlife resources for their ecological and economic value.

In marine fisheries, the TPP countries include four of the top 15 global producers of marine fisheries products by volume. Other TPP countries are significant traders in these products as well. Three significant problems that distort trade and inhibit efforts to conserve marine resources are subsidies, which have contributed to overcapacity and overfishing in global fishing fleets, shark-finning, which has contributed to a steep decline in certain shark species, and illegal, unregulated and unreported (IUU) fishing. Marine fisheries subsidies are estimated to total approximately 25 percent of the value of global total catch and IUU fishing has been estimated at $10 billion to $23.5 billion a year. According to the Food and Agriculture Organization, roughly 80 percent of global stocks are at risk: classified as fully exploited, overexploited, depleted, or recovering from depletion.

**TPP Equities**

All of these natural resources are heavily traded; they are widely reported to be subject to illegal harvesting; and they are vital to the international trade interests of all TPP countries. TPP countries are rich in biodiversity and are significant sources of, and destinations for, illegally-harvested and traded wildlife and wild plant species. Addressing trade-related issues in three areas – non-marine wildlife species, marine and oceans governance, and illegal logging and associated trade – could be critical to ensuring sustainable management of resources and protecting and conserving biodiversity in the region.

TPP partners are all parties to the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES), and several already participate in related initiatives, such as the ASEAN Wildlife Enforcement Network (ASEAN-WEN). TPP countries have been active in WTO Doha negotiations to eliminate fisheries subsidies that contribute to global overcapacity in fishing fleets.

**U.S. Approach**

The United States believes a TPP Environment chapter can facilitate increased regional trade while supporting and enhancing existing conservation efforts associated with natural resources and protecting and conserving biodiversity in the Asia-Pacific region. The United States has proposed a TPP conservation framework including:

- An obligation to maintain, in national laws, regulations or measures, prohibitions against trading across TPP borders in products harvested or exported in violation of national laws that seek to protect wildlife, forest or living marine resources. Such provisions would reflect and enhance recent trends in a number of countries to restrict trade in products that have been illegally obtained.
• Prompt reporting or information sharing related to trade among TPP parties of products within the scope of anti-trafficking obligations, including information-sharing for law enforcement purposes.

• Mechanisms for cooperation among TPP regulatory and law enforcement authorities in implementing anti-trafficking obligations, including: creation of working groups; exchanges of enforcement personnel; joint law enforcement meetings, exercises and investigations; and participation in and establishment of regional law enforcement networks.

• Enhanced partnership with non-governmental organizations, the private sector, scientific organizations and local communities to address illegal trade in wildlife and wild plant products and promote innovations that improve supply chain management.

The United States has proposed that these general commitments be supplemented with specific provisions in three areas: wildlife species of particular concern; marine fisheries; and illegal logging and associated trade.

Wildlife: The United States believes it is critical that the TPP directly address the problem of trade in these resources through obligations that complement implementation of measures under CITES -- to which all TPP countries are parties -- including through full implementation of species-specific CITES resolutions and other appropriate measures to protect these species.

Marine Fisheries: The United States and other TPP countries have proposed TPP disciplines on subsidies that contribute to overcapacity and overfishing, potentially lighting the way for a WTO multilateral agreement on fisheries subsidies. With respect to IUU fishing, the United States has proposed obligations to support measures being developed or implemented through relevant regional fisheries management organizations and other arrangements in the region, such as catch documentation schemes and port State measures. Shark populations in the region are at particular risk, and the United States has proposed specific obligations in this area, such as actions to deter “shark-finning” practices.

Timber (Illegal Logging): The United States has proposed specific obligations for the timber sector, including enhanced coordination through information exchange between government forestry and trade officials, law enforcement cooperation, and opportunities to partner with industry and civil society groups related to implementation and enforcement of national laws. These commitments could result in strengthening government capacities and policy and institutional frameworks for forest conservation, management, production and trade, as well as increasing public participation and transparency in forest planning and decision-making.

Conclusion

The significance of existing problems with illegal wildlife and wild plant trade warrant bold measures in the TPP. Our proposal for a conservation framework in the TPP environment chapter reflects our determination to negotiate a truly 21st-century result for trade and the environment.