

*Article*

Wildlife Trafficking Between Legality and Crime in the Amazon: The Importance of Colombian-Brazilian Cooperation

Diana Carolina Barreto Cardoso¹, German Silva García²

¹ Master's Degree in Political Science and Economist from the Catholic University of Colombia; PhD Candidate in Law at the National University of Colombia. Professor and Researcher in the Phronesis Research Group, Faculty of Law, Catholic University of Colombia. ORCID: 0000-0002-5092-7192. E-mail: dcarreto@ucatolica.edu.co

² PhD in Sociology and Master's Degree in Criminal Justice System and Social Problems from the University of Barcelona; Lawyer from Externado University of Colombia. Dean and Researcher in the Conflict and Criminality Research Group, Faculty of Law, Catholic University of Colombia. ORCID: 0000-0002-3972-823X. E-mail: gsilva@ucatolica.edu.co

RESUMEN

El presente artículo ofrece un análisis del marco normativo y jurisprudencial vigente en Brasil y Colombia destinado a combatir el tráfico ilegal de especies silvestres, una de las actividades ilícitas más lucrativas y dañinas para la biodiversidad. Se explora de manera objetiva el marco legal de ambos países. La segunda parte busca identificar los desafíos que se presentan cuando existe una normatividad frente a una realidad en la que la criminalidad, cada día más creativa y sofisticada, genera un impacto negativo en la conservación de las especies amenazadas. Finalmente, se analizan las limitaciones y los desafíos persistentes que enfrentan ambos países en la implementación y aplicación efectiva de las normas, entre los que destacan problemas de coordinación interinstitucional, corrupción, debilidad de monitoreo, entre otros. Estos obstáculos explican en gran medida por qué, a pesar de los avances legislativos, el tráfico ilegal de fauna silvestre presenta una amenaza significativa para la biodiversidad de la región amazónica.

Palabras clave: fauna silvestre, tráfico ilegal, amazonas.

ABSTRACT

This article analyzes the current legal and jurisprudential framework of Brazil and Colombia in combating the illegal trafficking of wildlife species, one of the most lucrative and harmful illicit activities affecting biodiversity. The legal framework of both countries is examined objectively. The second part seeks to identify the challenges that arise when existing regulations confront a reality in which increasingly creative and sophisticated criminal activities generate a negative impact on the conservation of threatened species. Finally, the article examines the limitations and persistent challenges faced by both countries in the effective implementation and enforcement of these legal provisions, including problems of interinstitutional coordination, corruption, weak monitoring mechanisms, among others. These obstacles largely explain why, despite legislative advances, illegal wildlife trafficking continues to pose a significant threat to the biodiversity of the Amazon region.

Keywords: wildlife, illegal trafficking, Amazon.



Submission: 05/03/2026



Accepted: 15/06/2026



Publication: 18/06/2026





Introduction

Wildlife trafficking is considered one of the most critical threats to ecological stability in various countries. Brazil and Colombia are at the epicenter of this crisis due to their status as megadiverse territories. Both nations have signed and ratified international treaties, such as the Convention on International Trade in Endangered Species of Wild Fauna and Flora, better known as the CITES Convention, as well as the Amazon Cooperation Treaty Organization (OTCA). Likewise, both countries have strengthened their regulatory frameworks and case law and have ministries dedicated to environmental protection, such as the Ministry of Environment and Sustainable Development in Colombia and the Instituto Brasileiro do Meio Ambiente e dos Recursos Naturais Renováveis (IBAMA) in Brazil. However, the persistence of wildlife trafficking by transnational smuggling networks reveals a profound crisis in environmental governance.

This phenomenon can be understood in light of various factors, such as institutional weaknesses stemming from a lack of human, technological, and economic resources, along with the geography of the Amazon region, which often makes it difficult to carry out arrests and inspections due to its jungle-like nature. Addressing wildlife trafficking requires going beyond a purely punitive approach; it is necessary to consider other factors such as the corruption that permeates regulatory agencies, the allocation of sufficient resources, and the technical gaps that prevent laws from being translated into effective action. It must also be taken into account that this crime has deep socioeconomic roots; this means that as long as governments fail to provide sustainable economic alternatives for communities, biodiversity will continue to be viewed as a resource for immediate subsistence in the face of poverty—a situation that ultimately affects not only the rights of nature but also the rights of the indigenous communities inhabiting this region (Olaya, 2022; Silva-García and Bonilla Uyaban, 2023; Becerra and Cárdenas, 2025).

Wildlife trafficking is a form of social divergence involving a diverse range of actors. These range from small farmers, settlers, and poachers—for whom it is a means of survival to meet basic needs—to large-scale traffickers for whom the business is a means of accumulating capital. As a form of social divergence, it involves a struggle to advance interests, in which participants often act under the belief that they are not doing anything truly illegal—unlike what their ancestors or other respected figures did for decades. Under these conditions, criminal social control intervenes in this divergence to assess the legality of trafficking activities and, if applicable, to label them as criminal through a process of criminalization (Becker, 1971). In other words, criminal control will single out divergent social actions to define them as criminal, without allowing for any diversity (Dávila, 2023; Quiroz Vitale, 2023; Pérez-Salazar and Acevedo, 2023; Del Percio, 2023; González-Monguí, 2023; Silva-García, Vizcaíno Solano, and Pérez-Salazar, 2024).

Despite the seizure figures and the blow dealt to the links between trafficking and illicit cross-border economies, challenges remain in Colombian-Brazilian implementation and coordination efforts to reduce this crime. Consequently, the following question arises: To what extent do the regulatory and jurisprudential frameworks of Brazil and Colombia effectively control the illegal trafficking of wildlife in the Amazon, in line with international commitments—particularly those of CITES and OTCA—while overcoming institutional and cross-border limitations?

To address this question and develop this paper, analytical and comparative methods were employed, primarily through a review of documentary sources—including legal doctrine, legislation, and case law—from the two countries under examination. The overall objective was to assess the effectiveness of Brazil's and Colombia's regulatory frameworks in combating the illegal trafficking of wildlife, evaluating their alignment with international commitments and the progress made in reducing this environmental crime in the Amazon, as well as to identify the main institutional, operational, and cross-border limitations that persist.

This study is part of the body of work that challenges the cultural colonialism of the Global North, which, in the socio-legal sphere, has sought to impose its theories and interpretations regarding law and social problems (Carrington *et al.*, 2016; Agudelo Giraldo and León Molina, 2023; Silva-García and Pérez-Salazar, 2023; Silva-García and Pérez-Salazar, 2025). This is despite the fact that, with regard to Latin America, differences in material conditions, legal structures, and challenges are quite substantial, making it essential for the Global South to develop



an autonomous voice (Navas-Camargo, 2020; Carvajal Martínez and Trujillo Osorio, 2023; Silva-García and Vizcaíno Solano, 2024; Guadarrama, 2024). Consequently, this work also aims to contribute, through s of research, to the development of a socio-legal framework for the Global South that is tailored to the unique characteristics of Latin America (Ramírez Sierra, 2024; Silva-García and Ávila Cano, 2022; Silva-García and Ortega Ruiz, 2023; Navas-Camargo, 2024).

Legislation and Case Law in the Fight Against Wildlife Trafficking in Brazil and Colombia.

Colombia and Brazil are parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES, 2024). This international agreement aims to ensure that trade in wild animal and plant specimens does not threaten their survival. Despite these legal tools, the challenge remains ongoing because binational efforts must be coordinated across borders, and it is also difficult to effectively enforce the law in order to dismantle the trafficking networks operating in the region.

The Convention has been crucial for Brazil and Colombia, as it has facilitated international cooperation between them and with countries such as Ecuador and Peru, which share borders with and have a significant presence in the Amazon region. It has also provided a tool to protect Amazonian species from overexploitation and to actively contribute to global conservation efforts. Likewise, these countries are part of the Amazon Cooperation Treaty Organization (TCA), which was signed on July 3, 1978, and ratified by the eight countries that share the Amazon: Bolivia, Brazil, Colombia, Ecuador, Guyana, Peru, Suriname, and Venezuela. This treaty is the legal instrument that recognizes the transboundary nature of the Amazon. This has made it possible to create a space for cooperation and joint action among the Amazonian countries, which seeks to transform political commitments into concrete results for the Amazon and its populations. Often, political territorial divisions within a single country—where different entities have jurisdiction over a territory that constitutes a single geographic, climatic, cultural, or economic unit, such as the Magdalena River basin in Colombia—create enormous problems for coordinating actions, not to mention when this occurs on a larger scale, involving as many as eight countries. Hence the importance of the Convention.

The Amazon Cooperation Treaty includes political mandates that serve as the foundation for guiding efforts in a strategic and coordinated manner. There are two additional mandates in which Brazil and Colombia play key roles: the 2023 Belém Declaration and the 2025 Bogotá Declaration (Amazon Cooperation Treaty Organization, 2025). These multilateral instruments recognize the transboundary nature of the Amazon and seek to implement actions against wildlife trafficking. However, each country has its own legal framework for protecting nature. Brazil, for its part, establishes in its 1998 Federal Constitution [Article 225], the duty to preserve and restore ecological environments, protect fauna and flora, and, through legislative measures, prohibit practices that endanger the ecosystem, cause the extinction of species, or subject animals to cruel treatment; violations of these provisions are subject to administrative and criminal penalties, in addition to compensation for damages caused (Brazil, 1998).

This constitutional provision lays the fundamental groundwork for the preservation of biodiversity and serves as a pillar for legislative development consistent with the protection of biodiversity. Brazil had the “ ” (Law 5197 of 1967 on the Protection of Fauna) , which establishes that wild animals are the property of the Brazilian State and prohibits professional hunting and the trade in wild animals (except those from legal breeding facilities). It provides for prison terms of 2 to 5 years. Although it was not very effective against illegal wildlife trafficking, it served as a precursor in establishing principles for wildlife conservation.

In 1998, the country enacted Law No. 9605 on Environmental Crimes, which criminalizes offenses against wildlife and flora and establishes criminal and administrative penalties. This law complements various resolutions of the National Environment Council (CONAMA) and other regulatory acts of the Brazilian Institute of the Environment and Renewable Natural Resources (IBAMA), which govern the management, transport, and trade of species. Criminal penalties were added through the Animal Trafficking Law, which increased the penalties for certain offenses. Law No. 24064 of 2020 was also enacted, further increasing penalties. The legislation penalizes the sale, transport, storage, killing, pursuit, capture, or use of wild animal species—whether native or migratory—without authorization or in violation of its terms; the trafficking of skins and hides of amphibians and reptiles; acts of abuse, mistreatment, injury, or mutilation of all types of animals; furthermore, there are aggravating circumstances when such conduct involves endangered animals (Presidency of the Republic, 1998; Chamber of



Deputies of Brazil, 2025). The central feature of Brazilian criminal policy has been the increase in penalties—a simplistic and largely ineffective response that can be identified as a recurring trend throughout most of Latin America.

Also, Law 9985 of 2000 establishes the National System of Nature Conservation Units (SNUC). Its main objective is to establish an organized legal framework for the creation, implementation, and management of protected areas throughout Brazilian territory. The aim has been to preserve biodiversity, ensure the sustainable use of natural resources, promote scientific research and environmental education, and foster economic activities that are compatible with biodiversity conservation. It is important to note that Decree 11349 of 2023 established the National Secretariat for Biodiversity, Forests, and Animal Rights as part of the Department of Animal Protection, Defense, and Rights within the Ministry of the Environment and Climate Change. This brings significant changes to animal protection, as it integrates efforts to combat wildlife trafficking while promoting inter-institutional cooperation and best practices in conservation policies. This decree aims to facilitate the implementation of CITES. It also seeks to foster collaboration on cross-border monitoring with neighboring countries such as Colombia, Ecuador, and Peru (Ministério do Ambiente e Mudança do Clima, 2025).

In the judicial arena, the Federal Supreme Court (STF), the highest constitutional court, has reaffirmed the principle of environmental protection as a fundamental right and is currently determining whether the federal courts have jurisdiction to try transnational environmental crimes against species threatened with extinction, which could prevent the fragmentation of the justice system across state courts (Federal Supreme Court 2026). For its part, the Superior Court of Justice (STJ), responsible for unifying the interpretation of federal legislation—including decisions on environmental crimes and wildlife trafficking—has established case law regarding the application of penalties, the characterization of crimes, the possibility of criminal leniency, and civil liability for environmental damage (Superior Court of Justice, 2009). Likewise, the STJ has held that the theory of the *fait accompli* cannot be invoked to legalize environmental damage or illegal factual situations (Superior Court of Justice, 2013). In the case in which the court convicted those involved in the *Naja cobra* case, this court emphasized the importance of nature as an expression of life and promoted the view of animals as beings of intrinsic value, deserving of respect and care. Finally, the judiciary has also addressed the issue of monitoring and the fate of seized wild animals (Court of Justice of the Federal District and Territories, 2023).

Colombia, for its part, has a legal framework for the protection of biodiversity and the fight against wildlife trafficking. This framework begins with the 1991 Constitution, which, in Article 79, establishes that everyone has the right to a healthy environment, in addition to enshrining the need for citizen participation, the state's duty to safeguard the diversity and integrity of the environment, conserve protected areas, and promote environmental education (LEGIS, 1991).

One of the first commitments Colombia made to protect species was the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), adopted in 1973. Law 17 of 1981, which ratified this Convention, enabled the country to become part of an international legal framework for biodiversity protection. By acceding to CITES, Colombia committed to implementing a system of permits and certificates to control trade in species. This created a state responsibility for administrative authorities to mitigate the exploitation and extinction of native and transiting species (CITES, 2024).

It is also important to note that Law 99 of 1993 established the Ministry of Environment and Sustainable Development and set forth the structure of the National Environmental System (SINA) to coordinate the country's environmental policies, including the fight against the illegal trade in wildlife. This law recognizes biodiversity as national heritage and of interest to humanity, prioritizing its protection and sustainable use, while delegating to the Regional Autonomous Corporations (CAR) the implementation of these policies at the local and regional levels, to ensure decentralized and participatory management (Congress of the Republic of Colombia, 1993).

For its part, the Penal Code, Law 599 of 2000, as amended by Law 2111 of 2021, revised the offenses against natural resources and the environment in Articles 328 and 328b to incorporate a new definition of wildlife trafficking, punishable by imprisonment of between 60 and 135 months and a fine, along with illegal hunting, which carries a prison sentence of between 16 and 54 months, and illegal fishing, which carries a prison sentence of between 48 and 108 months, in addition to fines (Congress of the Republic of Colombia, 2000a; Congress of the Republic of Colombia, 2021a). The killing of wild animals is also punishable by 32 to 56 months in prison.



Likewise, criminal legislation addressed the offense of Illegal Handling of Exotic Species, which has become a very serious problem on a continental scale due to the introduction of non-native species that affect the health, environment, and survival of local species. Consequently, the introduction, transplantation, handling, planting, sale, transport, experimentation, or propagation of invasive exotic wildlife species was prohibited; this offense is punishable by imprisonment of between 48 and 108 months (Congress of the Republic of Colombia, 2000a).

In addition to the above, to discourage the illegal trafficking of species, another institutional effort was undertaken through Law 611 of 2000, which aims at the sustainable management of wildlife and aquatic species, taking into account the role of wildlife breeding facilities. The law establishes technical requirements, licenses, and specific controls for the production and use of these species. However, it is not always easy to distinguish which products are of legal origin—those from wildlife breeding facilities that comply with all technical management requirements, licenses, and controls—from those that are used as fronts to illegally harbor specimens captured in violation of (Congress of the Republic of Colombia, 2000b).

In addition, a law was enacted that represented a significant advance in Colombian legislation. This is Law 1333 of 2009, or the Law on Environmental Sanctioning Procedures, which made it possible to unify and standardize the imposition of preventive and punitive measures for environmental violations, including the illegal trade in wildlife. Article 40 of the law established fines, the confiscation of species, products, and property, as well as the closure of establishments involved in the illegal handling of wildlife and aquatic species (Congress of the Republic of Colombia, 2009).

Law 2153 of 2021 was recently enacted with the aim of creating a registration and monitoring system to control the illegal trafficking of wild fauna and flora. This system seeks to consolidate a framework that integrates information and facilitates the traceability of species, not only in their habitats but also at critical trade points such as transportation terminals, airports, marketplaces, and courier companies; as such, it can be viewed as a tool in the fight against the illicit trade in biodiversity in Colombia (Congress of the Republic of Colombia, 2021b). The initiative is a positive step toward preventing wildlife trafficking; however, the system's operation requires significant investment in technological infrastructure, transportation, staff training, and unprecedented inter-agency coordination among various government entities. Thus, the success of this legislation depends on budgetary investment, institutional coordination, and political will.

Finally, Law 2404 of 2024 focuses on establishing special conditions and requirements for the transport of rescued or confiscated wildlife (Congress of the Republic of Colombia, 2024). The importance of animal welfare had already been recognized through Law 1774 of 2016, which considers wild animals to be sentient beings (Congress of the Republic of Colombia, 2016). Law 2402 seeks to reduce stress and suffering during the transport of species to rehabilitation centers and to ensure they receive appropriate veterinary care, with a view to subsequent release if warranted, as well as to safeguard the animal's well-being.

It is evident that Colombia possesses a rather complex and comprehensive set of general and specialized legal instruments that reflect the implementation of international agreements. However, it is equally clear that the mere act of enacting laws—however perfect they may be—conceived as a panacea that fetishizes legal norms, viewing them as the source of all solutions, is far from resolving problems in social practice. This is, moreover, a rather legalistic model, mired in legal formalism and associated with a certain degree of bureaucratization, since the regulations are accompanied by agencies tasked with implementing them, which creates a bureaucratic group of officials—who are presumed to be qualified—who must exercise authority guided by legal provisions.

As for case law, there are examples such as Ruling T-760 of 2007, which recognizes wildlife trafficking as one of the main causes of the decline in natural populations. This ruling is a milestone because the Court noted that the use and trade of wildlife require strict compliance with the regulations that safeguard biodiversity and that, therefore, the trafficking of any species must be duly authorized (Constitutional Court, 2007).

Subsequently, Ruling C-467 of 2016 marked a milestone in this conceptual transition, as it specifically examined the national animal protection statute (Law 84 of 1989). It was in Ruling C-466 of 2016 that the Court made it clear that the classification of animals as property or things in the Civil Code was subject to and conditioned by their biological reality as sentient beings, thereby promoting the recognition of their intrinsic value. The Court determined that this categorization does not preclude the consideration of animals as sentient beings worthy of



protection against abuse (Constitutional Court, 2016a). This is an effective step toward recognizing the intrinsic importance of animals.

In turn, Ruling T-622 of 2016, known for recognizing the Atrato River as a subject of rights, is an example of progress in the protection of nature and wildlife, as well as the communities that inhabit these ecosystems (Constitutional Court, 2016b). This is a rather controversial position, since the concept of considering geographical features or entities such as rivers—which were previously viewed as objects of legal protection—has shifted to regarding them as subjects of law, that is, holders of rights.

The Court also ruled on sport hunting in Ruling C-045 of 2019, declaring it unconstitutional for violating the prohibition against animal cruelty (Constitutional Court, 2019). This reinforces the view of animals as sentient beings and as objects of protection. In this regard, Ruling C-148 of 2022 declared sport fishing unconstitutional, reaffirming the Court's position on the prohibition of animal cruelty and the protection of sentient beings (Constitutional Court, 2022). In the “ ” Ruling SU-016 of 2020—known as the ruling addressing the *habeas corpus* petition for the bear Chucho—the Court further elaborates on the recognition of Colombia's Constitution as an ecological constitution (Constitutional Court, 2022). Likewise, in the same ruling, the Court emphasized the importance of international instruments such as the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

Although Colombia and Brazil have established a regulatory and jurisprudential framework aimed at combating wildlife trafficking, reflecting a commitment to biodiversity conservation, it is worth noting that wildlife trafficking figures are alarming, according to Colombia's Ministry of Environment and Sustainable Development (2022), reaching an estimated 20 to 40 billion euros globally.

Analysis of the Effectiveness of the Regulatory and Jurisprudential Framework in Reducing the Illegal Trafficking of Wild Species

One of the greatest threats to global biodiversity is wildlife trafficking, which, in addition to its economic implications, involves deep connections to sophisticated criminal networks and corruption. Corruption—rooted here in the ambiguities arising from hesitations or doubts regarding the existence of harm and the actual illegality of trafficking practices—extends its reach by co-opting state officials, leading to further degradation (Silva-García, 2019; Silva-García *et al.*, 2025). This issue affects more than 4,000 plant and animal species and involves more than 162 countries and territories (UNODC, 2024). Despite global initiatives—which set Goal 15.7 of the Sustainable Development Goals [SDGs] to eradicate wildlife trafficking (United Nations, 2019)—these efforts have been insufficient. Countries such as Colombia and Brazil possess unique megadiversity, and despite regulations, case law, and the authorities' efforts to combat this illicit trade, trafficking networks are often ingenious or sophisticated and succeed in carrying out their plans (World Wildlife Fund for Nature/Dalberg, 2012).

Wildlife trafficking is not just an environmental problem; it is also a criminal activity organized on a transnational scale. After drug trafficking, human trafficking, and counterfeit goods, wildlife trafficking is the fourth most lucrative illegal activity worldwide. The available figures may be conservative, as data on the illegal wildlife trade are difficult to obtain, but they are estimated to range from \$7.8 billion to \$10 billion (UNODC, 2024).

Brazil is one of the world's most megadiverse countries and faces considerable pressure on its wildlife. According to the Brazilian Institute of the Environment and Natural Resources [IBAMA], it is estimated that at least 12 million wild animals are poached each year (IBAMA, 2024). According to regional monitoring in the Amazon, during the first half of 2023, more than 8,000 seized specimens were reported, and more than 129 traffickers were arrested across five countries (Ruas, 2024). Among the seizures in the Amazon, 780 kilograms of wild animal meat were found, but only two people were arrested (Ruas, 2024). It is estimated that 38 million wild animals are taken annually in Brazil, and nine out of every ten trafficked animals die (UNODC, 2024). The country accounts for about 15% of the global market, estimated at 10 to 20 million dollars (World Animal Protection Brazil, 2025).

The animal species most commonly trafficked in Brazil include those for their meat and skin. Among birds: parakeets or macaws, the golden-headed canary [*Sicalis flaveola*], and the blue, red, and yellow macaw [*Ara ararauna*]. Reptiles include river turtles, poison dart frogs, the taricaya turtle [*Podocnemis unifilis*], the hicotea turtle [*Trachemys*], the boa constrictor, the caiman [*yacaré*], and amphibians. Also included are ornamental fish and



mammals such as jaguars [whose body parts are exported to parts of Asia]. As for primates: the white-headed marmoset [*Saguinus oedipus*], the capuchin monkey [*Sapajus apella*], and the three-toed sloth [*Bradypus variegatus*] (IBAMA, 2024; RENCTAS, 2025).

Colombia is the second most megadiverse country in the world and faces intense trafficking driven by demand for exotic pets and fish consumption during Holy Week. It is considered the second-most trafficked country in Latin America for wild fauna and flora after Brazil; it is estimated that 58.3 species are seized every 24 hours. In 2021, Colombia reported the seizure of 18,636 wildlife specimens and 282,147 plant specimens, resulting in 2,325 seizures (Wildlife Conservation Society, 2022). This highlights the significant volume of trafficking. As part of regional efforts, 5,368 live wild animals were seized in the first half of 2022 in Colombia, Ecuador, Peru, Bolivia, and Brazil (Ministry of Environment and Sustainable Development, 2021; Wildlife Conservation Society, 2022). According to Colombia's National Police and Ministry of the Environment, in 2024 alone, approximately 30,000 animals were seized (Ministry of Environment and Sustainable Development, 2025; Mongabay Latam, 2024). During Holy Week 2023 alone, the following were seized: 9,004 reptiles, 2,621 birds, and 1,553 mammals (Ministry of Environment and Sustainable Development, 2024). Between 2017 and 2024, 8,239 live animals were seized at Bogotá's El Dorado Airport, while animal parts, including hides and meat, amounted to approximately 3,493 animals (Noboa, 2024).

The animal species most commonly trafficked in Colombia are: reptiles [hicotea turtle (70% *Trachemys*), mata-mata turtle, babillas, spectacled caiman, green iguana]. Amphibians such as poisonous frogs for export [to the U.S. and Japan]. Birds: (parrots, parakeets, canaries, blue-and-yellow macaws, scarlet macaws); mammals: spider monkeys, white-headed and white-cheeked marmosets, felines such as ocelots, pacas [*Cuniculus paca*], white-bearded peccary [*Tayassu pecari*, family Suidae], deer [*Cervidae*], tapirs [*Tapirus terrestres*], blue-billed curassow or Colombian pajuil [*Crax Albergi*], three-toed sloths. Fish, primarily the paiche or pirarucú [*Arapaima gigas*] (Ministry of Environment and Sustainable Development, 2021a; Ministry of Environment and Sustainable Development, 2024).

In Colombia, the departments with the highest incidence of wildlife trafficking are: Amazonas, Antioquia, Atlántico, Bolívar, Cundinamarca, Córdoba, Sucre, and Santander. According to the Police Directorate of Protection and Special Services, between 50% and 80% of trafficked animals die (Ministry of Environment and Sustainable Development, 2021b).

The illegal harvesting of species directly threatens biodiversity. Over the past 48 years, wildlife populations in Latin America and the Caribbean have declined by an average of 94%, with wildlife trafficking being the primary cause. If the animal arrives alive and with forged documents, its price can double, making it highly profitable for traffickers. The ecological consequences are driven by fraud and corruption. It has been discovered that traffickers alter a wide range of documents to make them appear legitimate, and there are numerous reports of bribery, including of officials responsible for wildlife protection (Ruas, 2024; Ramírez, 2022).

Currently, there is a deeply troubling issue: the illegal wildlife trade is linked to drug trafficking. This is because groups engaged in these illicit activities share logistics, transportation methods, and marketing strategies, allowing drug trafficking and wildlife trafficking to operate in parallel. They function alongside human trafficking and other criminal enterprises as transnational criminal organizations (Ramírez, 2022). In addition to the ecological damage, the methods used to capture, transport, and sell these animals are cruel. Wild animals suffer death, mutilation, stress, dehydration, or starvation. The few that survive may have their fangs filed down or their claws, wings, or limbs amputated (Ramírez, 2022; World Wildlife Fund for Nature/Dalberg, 2012).

Currently, there is direct and growing police cooperation between Brazil and Colombia, driven by the Amazon Cooperation Treaty Organization [OTCA]. Little by little, legality is gaining ground over illegality, with a strengthening of joint operations to monitor, investigate, and apprehend those who commit these crimes. The Amazon International Police Cooperation Center [CCPI], in Manaus [Brazil], was inaugurated in September 2025. Operation Green Shield has already been carried out with the participation of Brazil, Colombia, Ecuador, Peru, and the United Arab Emirates. A total of 94 individuals accused of drug trafficking, illegal mining, deforestation, and wildlife trafficking were apprehended; 645 animals were recovered in Colombia, 1,400 live animals were rescued in Peru, and Brazil rescued 700 animals. (Ministry of Environment and Sustainable Development, 2025)



Both Brazil, through Law 9605 of 1998 and Law 14064 of 2020, and Colombia, through Law 599 of 2000 and Law 2111 of 2021, have strengthened penalties for wildlife crimes, which helps reinforce cooperative operations aimed at protecting the Amazon. Currently, the Brazilian Federal Police (through its Amazon Directorate) and the Colombian National Police (through the Carabineros Environmental Protection Directorate) share intelligence on cross-border networks involved in the trafficking of turtles, jaguars, birds, and fish.

From 2019 to 2023, a project was implemented in partnership with the Wildlife Conservation Society [WCS] and the World Wildlife Fund [WWF] to share knowledge and research on wildlife trafficking during sessions of the Convention on International Trade in Endangered Species [CITES], involving Brazil, Bolivia, Colombia, Ecuador, and Peru. Discussions focused on the progress and challenges in enforcing these countries' laws to protect the Amazon and wildlife (Wildlife Conservation Society, 2022; World Wildlife Fund, 2022).

Wildlife trafficking is an international organized crime, and corruption is a key enabler. Corruption facilitates transactions between countries of origin, transit, and demand (World Wildlife Fund for Nature/Dalberg, 2012). Criminals bribe officials—such as park rangers, customs agents, and police officers, among others—to obtain false documents and ensure that animals are smuggled across borders undetected (World Wildlife Fund, 2022). Corruption generally thrives where institutional controls are weak, civil society is unengaged or unable to participate, and poverty is widespread. Weak governments with poor law enforcement—a result of low levels of governance, which lead them to make concessions to secure political support—along with food and economic insecurity and a lack of transparency in the management of government budgets, among other factors, foster illicit trade and impunity (World Wildlife Fund for Nature/Dalberg, 2012).

These advances are important; it is crucial to hold those who commit crimes against animals and nature accountable. However, the focus should not be on merely imposing criminal penalties; the retributive purpose of punishment must have as its central aim the restoration of the legal interests that have been violated, which aligns with the goal of protecting the legal rights that have been infringed upon (Silva-García, 2025). Consequently, the dual purpose of criminal law must be pursued: simultaneously fulfilling the retributive purpose of punishment in restorative terms through the reparation of the harm caused, and likewise providing effective protection for the legal interest safeguarded by criminal law in this case. Likewise, major changes require a discussion of incorporating those who, historically, have not been included within the scope of rights recognition (Guadarrama González, 2013). In this regard, ensuring respect for nature and the environment is fundamental, but this can only be achieved efficiently if the population actively participates in these protective activities.

We are currently witnessing a shift in perspective from anthropocentrism to biocentrism, which leads to the inclusion of the protection of nature and animals. The ecological rule of law would, in a sense, reflect a broader vision, incorporating approaches that encompass nature itself and non-human living beings (Aguilar, 2024). Therefore, including animals in legislation and case law is a step toward achieving a more comprehensive and accessible justice for all, even for those who have no voice.

As Sánchez (2022) notes, the increase in liability rulings that extend protection to nature and its living beings comes as something of a surprise, given that Colombia's legal system is anthropocentric, Roman-Germanic, and fosters active resistance to change, as this is deemed superfluous in environmental law; within certain sectors of civil law, it is viewed as an affront to the Roman-Germanic tradition; and because it clashes with a segment of constitutionalism that sees it as an abuse by a minority (Sánchez, 2022).

A key element in the quest for justice for animals is sentience, a criterion that helps legitimize protective rights. As Mendoza states: Bentham argued that the fundamental moral criterion is not reason, but sentience: the capacity to experience pleasure and pain. Therefore, any being capable of feeling pleasure or suffering pain deserves to be considered as having a legitimate moral interest within the ethical community (Mendoza, 2024).

Although the law as we know it has been a modern-colonial, Eurocentric [Anglo-Saxon or continental] construct that has opposed the idea of nature having rights (Guio & Moreno, 2022), there is currently a growing concern for the protection of animals and nature. This is reflected today, for example, in regulations ensuring that animals can travel with dignity on public transportation to promote respect for them (Barreto, 2025). It is also important to draw on the wisdom of ancestral peoples to protect nature: from a holistic cosmological perspective, a people's habitat transcends the mere geographical space of coexistence with natural elements (rivers, mountains, forests, and wildlife); it encompasses, above all, the intergenerational continuity that preserves historical memory,



strengthens collective cultural identity, and fosters in its members a deep-rooted sense of pride in belonging to that community (Guadarrama González & Martínez Dalmau, 2023).

However, the need for specialized technical personnel and the specific transportation requirements place a logistical and financial burden on environmental authorities and rescue centers; in addition to Colombia's geography, the diversity of confiscated species presents operational complexities. Nevertheless, it represents a milestone in the recovery and return of abused animals to the wild. In practice, things are sometimes much harder to carry out than they appear on paper. According to Silva-García, there is virtually total consensus among students, professors, and scholars in the legal world: there is a profound chasm between what legal theory states and what actually occurs in the practice of law (Silva-García, 2023), which poses special challenges for legal practitioners in bridging the gap between the letter of the law and social practices. One step in this direction is to incorporate empirical research on the practice of environmental law in order to inform and rectify the policies being implemented. In this regard, the evolution of trafficking networks and the methods used to conceal wildlife trafficking necessitate greater specialization among prosecutors and judges in environmental crimes, as well as stronger inter-institutional coordination, in addition to fostering civil society participation in environmental education and awareness, so that those who make a living from illegal trafficking have profitable, lawful economic alternatives that do not harm nature, as well as raising awareness among those who demand species outside their natural habitats. For now, although much remains to be done, there is no doubt that the legal culture—both external and internal, that is, among citizens and legal practitioners—which plays a key role in the application of the law (Silva-García, 2024), particularly as it relates to the environment, has undergone a significant transformation over the past three decades.

To identify the main limitations and challenges in implementing the regulatory and jurisprudential framework in Brazil and Colombia.

Although both countries have a regulatory framework that is more than 40 years old and an interesting body of case law, problems persist, such as wildlife trafficking, inter-institutional coordination issues, drug trafficking groups, weak cross-border control and monitoring mechanisms, a lack of resources for nature and animal protection—such as specialized personnel and technology—compounded by corruption at various levels and high demand in the international market.

Wildlife trafficking in Colombia and Brazil represents a critical challenge for environmental governance, exacerbated by structural weaknesses that limit the effectiveness of public policies. According to Colombia's Ministry of Environment and Sustainable Development (2021), one of the main institutional constraints is the lack of reliable statistical data and low technical rigor in seizure processes, which prevents effective traceability of affected populations. This makes it difficult to identify patterns and trends in order to refine control mechanisms.

In both countries, the literature highlights that corruption acts as a driving force behind crime (Mongabay Latam, 2024). Criminals bribe officials, for example, by using document fraud—such as altering export licenses to give illicit shipments the appearance of legality—and since wildlife trafficking has been considered a low-priority crime compared to drug trafficking, this results in insufficient funding (Wildlife Conservation Society, 2018; UNODC, 2024). However, the shortcomings of recent years are being addressed through strengthened interagency cooperation, as in the case of Operation Green Shield 2025 (Ministry of Environment and Sustainable Development, 2025; Transparency International, 2023). Additionally, an aggressive policy to combat corruption—including the establishment of counterintelligence units and the setting of traps for suspects—should create uncertainty and make it risky to engage in corrupt practices.

In Brazil, for example, Federal Police investigations have documented bribery at river ports and airports where inspectors fail to inspect containers in exchange for money (Imazon, 2024). In Colombia, according to the Paz & Reconciliación Foundation, there is also a form of induced institutional blindness, as is the case with the Regional Autonomous Corporations (CARs), where information about authorities' operations to seize wild fauna and flora is leaked, allowing criminals to hide animals intended for trafficking or avoid routes where the police or military are present (Pares, 2022). Regional Autonomous Corporations are often political strongholds, run through patronage-based practices, with leaders seeking to enrich themselves quickly.



In addition, bureaucracy can create labyrinthine obstacles that hinder the effective implementation of measures to combat wildlife trafficking. For example, in 2024, Colombia's Ministry of Environment and Sustainable Development had allocated a total of 16.5 billion pesos for the protection of biodiversity and ecosystem services within the national territory, of which just over 8 billion pesos were earmarked for planning documents, technical guidelines, and research. Of the total amount, 2,000 million pesos were used for the protection of biodiversity and ecosystem services within the national territory (Resolution No. 0002 of 2024, Breakdown of Investment by the Ministry of Environment and Sustainable Development, January 2, 2024).

Another factor affecting the fight against wildlife trafficking is the technological disparity with criminal organizations that use the Deep Web to operate. According to a 2023 report by the Insight Crime Foundation, real-time satellite monitoring systems and forensic DNA analysis tools are needed to identify the exact origin of seized species; additionally, more specialized personnel are required. As noted by the Organization of American States (OAS), there is a shortage of inspectors trained in the taxonomic identification of subspecies to prevent procedural and prosecutorial errors and to fully grasp the complexity of this type of environmental crime. Many checkpoints often operate with obsolete equipment and insufficient staff who must cover thousands of square kilometers—which is not enough to compete with the sophistication and innovation of traffickers (OAS, 2021).

Gaps between the legal framework and its effective implementation are, therefore, a common occurrence. It is not that there is a lack of regulations, but rather that there is a disconnect with the state's actual capacity to enforce them. And this disconnect is exacerbated by a judicial perspective that continues to view wildlife trafficking as a minor offense or a trivial matter. In fact, many judicial actors believe that no harm is done because, since the interests involved are diffuse, there are no victims; or that certain types of behavior—such as hunting and trapping species—which traditionally were not considered criminal, should not be subject to criminal prosecution. In this scenario, the assumptions that underpin the deeply ingrained ideological preferences of judicial officials (Silva-García, 2001) act as a weak point for wildlife protection. While theory dictates that commitments under CITES must be fulfilled (Ecologic Institute, 2015), proceedings often drag on until the statute of limitations expires or are resolved with minimal administrative penalties that do not exceed the economic benefit obtained by the trafficker (Noboa 2024).

In Brazil, the system of environmental fines is robust on paper, but the appeals process is so lengthy and bureaucratic that the fines are rarely actually paid. In Colombia, the methodology for calculating environmental damage is so complex that regional authorities, such as the regional autonomous corporations, prefer not to impose penalties to avoid having them overturned in court due to technical errors. In addition, many criminal convictions do not result in actual prison time, as prosecutors' offices are often overburdened and prioritize other crimes such as murder or drug trafficking.

The socioeconomic challenge is perhaps one of the greatest obstacles because the socioeconomic vulnerability of local communities makes it easier for traffickers to recruit these populations into the lowest rungs of the wildlife trafficking chain. Therefore, economic alternatives are needed for these communities. The harvesting of species often constitutes a strategy for immediate survival. According to the United Nations Environment Programme and the Wildlife Conservation Society Colombia, the lack of economic alternatives in the Amazon and Chocó regions drives residents to join the lowest and riskiest levels of illicit networks. Modern conservation theory emphasizes that law enforcement alone is insufficient; it is necessary to transition toward models of sustainable bioeconomy and biotrade, where extractive communities become guardians of their territory (UNEP, 2020; WILDLIFE CONSERVATION SOCIETY, 2022; Aguilar, 2024).

All is not lost; there have been cases where the damage caused to nature by humans has been reversed. For example, the Lion Guardians group in Africa has succeeded in transforming hunters into lion advocates, and they now use their knowledge to monitor and protect these animals (Arana, 2015). In Colombia, former hunters from the department of Huila have become monitors of the Andean bear and eagles, participating in projects to raise community awareness, provide education, and ensure protection, while the community discovers that it can make a living from ecotourism (Pardo, 2017).

In the San Antero region of Córdoba, Colombia, hunters of the spiny-tailed caiman have joined conservation projects to protect the species, working in collaboration with environmental authorities and local associations. This caiman was hunted by local hunters to sell its skin, meat, and eggs. It nearly went extinct, but a pair of biologists



launched an awareness campaign with the community and the hunters to try to save the species. With the support of the Sinú Valley and San Jorge Corporations and the San Antero Caiman Hunters Association (Asocaimán), efforts to recover the species began, and there are now 3,000 hatchlings. (Radio Nacional de Colombia, 2017).

It is clear that the challenges are considerable when it comes to environmental preservation and the fight against wildlife trafficking. However, the successful practices in Brazil and Colombia offer hope for a successful future. The Wildlife Project, with its community-based species breeding programs, demonstrates that supporting communities by making them partners and active participants in biodiversity conservation is the best strategy. This involves supporting communities with incentives, technical training, and environmental awareness—even with budgetary constraints, which remain the weakest link—and is the path to pursue for the protection and conservation of biodiversity (Colombia National Strategy, 2021; Mendoza, 2024).

Conclusions

The comparative analysis demonstrates that both Brazil and Colombia possess cutting-edge legal and jurisprudential frameworks, fully aligned with key international instruments such as the CITES Convention and the Amazon Cooperation Treaty (ACT). However, the research reveals a marked gap between the sophistication of legal theory and its practical implementation on the ground in the Amazon basin. While transnational criminal networks operate with logistical and financial flexibility that transcends traditional borders, the state's response is constrained by bureaucratic rigidity. Despite this scenario, binational initiatives such as Operation *Green Shield* demonstrate that strategic and coordinated inter-institutional cooperation is an ideal approach to combating criminal networks that poach and traffic wildlife.

The persistence of illegal trafficking in the Amazon region is closely linked to structural weaknesses in law enforcement and operational capacity in both countries. In Colombia's case, there is a glaring disparity in the framework of criminal penalties, which do not reflect the gravity of ecocide nor act as an effective deterrent. Meanwhile, the Brazilian context is characterized by a low enforcement rate for environmental fines, which perpetuates a perception of structural impunity. These shortcomings are exacerbated across the board by a shortage of specialized judges and prosecutors, a lack of technical personnel in the field, and profound deficiencies in technological and environmental forensic infrastructure. Consequently, the judicial and apparatus in both countries lags behind a highly lucrative illicit market that directly benefits from institutional asymmetries along the borders.

A key factor is the transformation of hunters and individuals working for wildlife traffickers into conservationists, through: 1.) Education and awareness programs on the importance of species and the impact of hunting and trafficking on ecosystems, carried out by national and departmental authorities (Colombia) and federal authorities (Brazil). 2.) Alternative economic opportunities, such as involving local community members and former hunters in responsible ecotourism, wildlife viewing, hotels, and the sale of local art. 3.) Social and cultural transition, in which local and national authorities can work with communities to grant them the status of protectors. In summary, this is a process that requires a comprehensive approach addressing ecological, socioeconomic, and cultural dimensions. This change not only benefits wildlife but also promotes the economic sustainability of communities without causing negative impacts on nature.

References

AGUDELO GIRALDO, O. A. and LEÓN MOLINA, J. E. A Debunking of the Eurocentric Myth Regarding the Universality of Human Rights: The Latin American Perspective. *José María Córdova General Scientific Journal*, vol. 21, no. 44, 986–1004, 2023.

AGUILAR CAVALLO, G. “The Ecological Rule of Law and Access to Information in the Escazú Agreement.” **Novum Jus**, vol. 18, no. 1, 355–377, 2024. <https://doi.org/10.14718/NovumJus.2024.18.1.12>



ARANA, L. *Lion Guardians: From Hunters to Animal Protectors*. 2015. Available at: <https://sonnosotros.com/2015/01/27/lion-guardians-de-cazadores-a-protectores-de-animales/>. Accessed January 27, 2025.

ARÉVALO, D. 5,368 live wild animals, victims of trafficking, were seized in Colombia, Ecuador, Peru, Bolivia, and Brazil during the first half of 2022. Alliance for Wildlife and Forests. Newsroom. Ecuador.wcs.org. (September 6, 2022) Available at: <https://ecuador.wcs.org/Resources/News/articleType/ArticleView/articleId/17999/5368-live-wild-animals-victims-of-trafficking-were-seized-in-Colombia-Ecuador-Peru-Bolivia-and-Brazil-in-the-first-half-of-2022.aspx>

AUNAP, NATIONAL AUTHORITY FOR AQUACULTURE AND FISHERIES, Colombia. Resolution No. 766, (April 23), 2024. Available at: <https://aunap.gov.co/download/resolucion-numero-0766-de-2024-de-23-de-abril-de-2024/>

BARRETO, D. Toward a More Inclusive Society in Colombia: The Role of Emotional Support Animals in Work and University Settings, Case T-236/24. *Cultura Latinoamericana*, vol. 40, no. 2, 112–136, 2024. Available at: <https://editorial.ucatolica.edu.co/index.php/RevClat/article/view/6944>

BARRETO, V.; MORENO GONZÁLEZ, L. V. Nature as a Subject of Rights in Democratic Constitutionalism. *Novum Jus*, vol. 17, no. 3, 455–464, 2023. <https://doi.org/10.14718/NovumJus.2023.17.3.16>

BECERRA, D.; CÁRDENAS, F. 2025. The Path Toward a New Paradigm: Sustainability as a Transformative Force in Contemporary Law. *Novum Jus*, vol. 19, no. 1, 267–291.

BECKER, H. S. *The Outsiders: A Sociology of Deviance*. Buenos Aires: Tiempo Contemporáneo, 1971.

BRAZIL. Constitution of the Federative Republic of Brazil, October 5, 1988. [CF/225]. Available at: https://www.planalto.gov.br/ccivil_03/constituicao/constituicao.htm

BRAZILIAN CHAMBER OF DEPUTIES. Law Against Animal Trafficking. Chamber of Deputies News Agency. (November 18), 2025. Available at: <https://www.camara.leg.br/noticias/1219436-camara-aprova-pena-de-2-a-5-anos-de-prisao-para-o-crime-de-traffic-de-animais-silvestres>

CARRINGTON, K.; HOGG, R.; SOZZO, M. “Southern Criminology.” *British Journal of Criminology*, vol. 56, no. 1, pp. 1–20, 2016.

CARVAJAL MARTÍNEZ, J. E.; TRUJILLO OSORIO, O. J. Social Protest in Latin America: An Analysis from the Perspective of Divergence as a Category in the Criminology of the Global South. *New Paradigms in Latin American Social Sciences*, vol. 14, no. 27, 185–214, 2023.

CITES. Status of National Legislation for Colombia and Brazil, (October 6), 2024. Available at: <https://cites.org/eng/legislation/parties>

CONGRESS OF THE REPUBLIC OF COLOMBIA. Political Constitution of Colombia, 1991. http://www.secretariassenado.gov.co/senado/basedoc/constitucion_politica_1991.html



CONGRESS OF THE REPUBLIC OF COLOMBIA. Law 99 of 1993. *Official Gazette*, No. 41,146 (December 22), 1993. http://www.secretariassenado.gov.co/senado/basedoc/ley_0099_1993.html

CONGRESS OF THE REPUBLIC OF COLOMBIA. Law 611 of 2000. *Official Gazette*, No. 44,164 (August 29), 2000a. http://www.secretariassenado.gov.co/senado/basedoc/ley_0611_2000.html

CONGRESS OF THE REPUBLIC OF COLOMBIA. Law 599 of 2000. Penal Code of Colombia, *Official Gazette*, No. 44,097, (July 24), 2000b. http://www.secretariassenado.gov.co/senado/basedoc/ley_0599_2000.html

CONGRESS OF THE REPUBLIC OF COLOMBIA. Law 1333 of 2009. *Official Gazette*, No. 47,417 (July 21), 2009. http://www.secretariassenado.gov.co/senado/basedoc/ley_1333_2009.html

CONGRESS OF THE REPUBLIC OF COLOMBIA. Law 1774 of 2016. *Official Gazette*, 49,747 (January 6), 2016. http://www.secretariassenado.gov.co/senado/basedoc/ley_1774_2016.html

CONGRESS OF THE REPUBLIC OF COLOMBIA. Law 2111 of 2021. *Official Gazette*, 51,759, (July 29), 2021a. http://www.secretariassenado.gov.co/senado/basedoc/c-439_2022.html

CONGRESS OF THE REPUBLIC OF COLOMBIA. Law 2153 of 2021. *Official Gazette*, 51,777, (August 25), 2021b. http://www.secretariassenado.gov.co/senado/basedoc/ley_2153_2021.html

CONGRESS OF THE REPUBLIC OF COLOMBIA. Law 2404 of 2024. *Official Gazette*, No. 52836, (August 2), 2024. http://www.secretariassenado.gov.co/senado/basedoc/ley_2020_2024.html

Convention on International Trade in Endangered Species of Wild Fauna and Flora, 1973. Washington, D.C. (February 27, 1981). *Official Gazette*, No. 35,711. Available at: <https://cites.org/esp/node/131815>

CONSTITUTIONAL COURT, Colombia. Ruling T-760 of 2007. *Presiding Justice* Clara Inés Vargas Hernández, 2007. <https://www.corteconstitucional.gov.co/relatoria/2007/t-760-07.htm>

CONSTITUTIONAL COURT, Colombia. Ruling C-467 of 2016. *Presiding Justice* Luis Guillermo Guerrero Pérez, 2016a. <https://www.corteconstitucional.gov.co/relatoria/2016/c-467-16>

CONSTITUTIONAL COURT, Colombia. Ruling T-622 of 2016. *Presiding Justice* Jorge Iván Palacio, 2016b. <https://www.corteconstitucional.gov.co/relatoria/2016/t-622-16>

CONSTITUTIONAL COURT, Colombia. Ruling SU-045 of 2019, *Presiding Judge* Antonio José Lizarazo Ocampo, 2019. <https://www.corteconstitucional.gov.co/relatoria/2019/c-045-19.htm>

CONSTITUTIONAL COURT, Colombia. Ruling SU-016 of 2020, *Presiding Justice* Luis Guillermo Guerrero Pérez, 2020. <https://www.corteconstitucional.gov.co/relatoria/2020/su016-20.htm>

CONSTITUTIONAL COURT, Colombia. Ruling C-148 of 2022, *Presiding Justice* Diana Fajardo Rivera, 2022. <https://www.corteconstitucional.gov.co/relatoria/2019/c-045-19.htm>

DÁVILA, L. F. “When Two Points Drift Apart: Deviation, Divergence, and Amalgamated Social Orders.” *New Paradigms in Latin American Social Sciences*, vol. 14, no. 27, 75–102, 2023.



DEL PERCIO, E. Divergence: Disturbing Manifestations of Love, Sex, Law, and Other Institutions. *New Paradigms in Latin American Social Sciences*, vol. 14, no. 27, 7–36, 2023.

FONSECA, N. P.; MARULANDA, J. O. The Rights of Nature. **Dixi**, vol. 24, no. 2, 2022, 1–27. <https://dialnet.unirioja.es/servlet/articulo?codigo=8532459>

PARES FOUNDATION. Analysis of the Law on Environmental Crimes in Border Areas, 2022. Available at: <https://www.pares.com.co/informes/2022>. Accessed October 6, 2025.

PARES FOUNDATION. 2022. Corruption and Organized Crime in Colombia's Regions. 2022. Available at: <https://www.pares.com.co/informes/2022>. Accessed October 6, 2025.

GONZÁLEZ MONGUÍ, P. E. Social Divergence, Selectivity, and Immunity in the Application of Criminal Law. *New Paradigms in Latin American Social Sciences*, vol. 14, no. 27, 37–74, 2023.

GUADARRAMA GONZÁLEZ, P. The Human Condition, Ethical Values, Human Rights, and Democracy: Latin American Political Philosophy. *Latin American Culture*, vol. 18, no. 2, 65–94, 2013. Retrieved from <https://editorial.ucatolica.edu.co/index.php/RevClat/article/view/1676>

GUADARRAMA GONZÁLEZ, P.; MARTÍNEZ DALMAU, R. “The Cosmologies of Indigenous Peoples Regarding Nature and Their Influence on Constitutionalism.” **Novum Jus**, vol. 17, no. 2, 171–192, 2023.

GUADARRAMA GONZÁLEZ, P. Culture and Ideologies in Latin American Thought. *Cultura Latinoamericana*, vol. 40, no. 2, 64–87, 2024.

INSIGHT CRIME. The Amazon: A Hub for Transnational Environmental Crime. 2023. Available at: <https://share.google/JWolg0P5FfwK1mb0>. Accessed October 6, 2025.

INSIGHT CRIME. The Flow of Wildlife Trafficking in the Amazon. 2023. Available at: <https://share.google/yYyCWzQkGWA0y1NE3>. Accessed October 6, 2025.

INSTITUTE FOR HUMANITIES AND THE ENVIRONMENT OF THE AMAZON. Research conducted through an ITTO grant to evaluate the use of GIG in timber harvesting planning in the Eastern Amazon. *IMAZON*, 2024. Available at: <https://imazon.org.br/relatorios/resumen-de-la-investigacion-llevada-a-cabo-through-an-itto-grant-to-evaluate-the-use-of-gig-in-timber-harvesting-planning-in-the-eastern-amazon?locale=es>. Accessed October 6, 2025.

BRAZILIAN INSTITUTE OF THE ENVIRONMENT AND NATURAL RESOURCES. National Wildlife Management System. 2024. Available at: <https://www.ibama.gov.br/busca?searchword=fauna&searchphrase=all>. Accessed September 10, 2025.

LEGIS. Political Constitution of Colombia. Bogotá, LEGIS, 1991.

LLANO FRANCO, J. V. Diversity, Pluralism, Divergence, and Multiculturalism: The Indigenous Movement for Recognition in Colombia. *New Paradigms in Latin American Social Sciences*, vol. 14, no. 27, 243–272, 2023.



LOBO DA COSTA, H. O. Brazil Is Responsible for the Trafficking of 38 Million Wild Animals Per Year. *Journal da USP*, 2024. <https://jornal.usp.br/campus-ribeirao-preto/o-brasil-e-responsavel-pelo-trafico-de-38-milhoes-de-animais-silvestres-por-ano/>. Accessed August 18, 2024.

MENDOZA PULIDO, F. E. Animal Rights: Theoretical and Conceptual Elements for Their Justification. *Novum Jus*, vol. 18, no. 2, 203–223, 2024. <https://doi.org/10.14718/NovumJus.2024.18.2.8>

MINISTRY OF THE ENVIRONMENT AND CLIMATE CHANGE, Brazil. Animal Rights, 2025. Available at: <https://www.gov.br/mma/pt-br/assuntos/biodiversidade-e-biomas/direitos-animais>

MINISTRY OF THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT, Colombia. *In 2021, 300,783 specimens of fauna and flora were seized due to illegal trafficking*, 2021a. Available at: <https://www.minambiente.gov.co/por-trafico-ilegal-en-2021-han-sido-incautadas-300-783-especies-de-fauna-y-flora/>

MINISTRY OF THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT, Colombia. 2021 National Strategy for the Prevention and Control of Illegal Wildlife Trafficking. Bogotá, 2021b. Available at: <https://efaidnbmnnnibpcajpcgclefindmkaj/https://www.minambiente.gov.co/wp-content/uploads/2021/10/Estrategia-Nacional-para-la-Prevencio%CC%81n-y-Control-del-Tra%CC%81fico-Ilegal-de-Esp.pdf>

MINISTRY OF THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT, Colombia. 2022. Available at: <https://www.minambiente.gov.co/comercio-ilegal-de-vida-silvestre-mueve-entre-20-mil-y-40-mil-millones-de-euros-al-ano/>

MINISTRY OF THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT, Colombia. 2024. Resolution No. 0002 of 2024 on the Breakdown of Investments by the Ministry of the Environment and Sustainable Development, (January 2), 2024. Available at: <https://www.minambiente.gov.co/wp-content/uploads/2024/03/RES.-0002-DE-2024-DESAGREGACION-INVERSION-MINISTERIO..pdf>

MINISTRY OF THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT, Colombia. National Campaign to Prevent Illegal Wildlife Trafficking During Holy Week, (April 11), 2025a. Available at: <https://www.minambiente.gov.co/campana-nacional-para-prevenir-el-trafico-ilegal-de-vida-silvestre-en-semana-santa>

MINISTRY OF THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT, Colombia. Amazon Cooperation Treaty Organization (OCTA), 2025b. Available at: <https://www.cancilleria.gov.co/organizacion-del-tratado-cooperacion-amazonica-otca>

MONGABAY LATAM. Fraud and corruption: the main drivers of the illegal wildlife trade in the Brazilian Amazon. 2024. Available at: <https://es.mongabay.com/list/especies-amenazadas/page/5/#:~:text=Mongabay%20Latam%20Oct%204,%202024%20%C2%B7%20Fraud,Oct%201,%202024%20%C2%B7%20Jaguar%20Mexico%20Rodrigo%20Medell%C3%ADn>. Accessed September 10, 2025.

UNITED NATIONS. Sustainable Development Goals. 2019. Available at: <https://www.un.org/sustainabledevelopment/es/biodiversity/>.



Amazon Cooperation Treaty Organization. Political Mandates. 2025. <https://otca.org/como-trabajamos/> Accessed September 10, 2025.

NAVAS CAMARGO, F. The Global South and the Social Reality of Latin America: Toward the Construction of New Paradigms. *Novum Jus*, vol. 14, no. 2, 11–21, 2020.

NAVAS CAMARGO, F. On the Conceptualization of Military Strategy in Colombia and the Armed Conflict. *Latin American Journal of Legal Sociology*, vol. 6, no. 9, 67–89, 2024.

NOBOA, K.; CAO, R.; MOSIG, P.; BROWN, L. Report on wildlife trafficking in Colombia. TRAFFIC. 2024. Available at: https://www.traffic.org/site/assets/files/25935/trafico_ilegal_de_vida_silvestre_en_colombia_october_24_2024-2-1.pdf. Accessed November 5, 2025.

OAS, Organization of American States. Strengthening Capacities to Combat Wildlife Trafficking. OAS, 2021. Available at: <https://www.oas.org/ext/en/main/oas/our-structure/gs/sms/dtoc#:~:text=The%20DTOC%20develops%20these%20%C3%A1reas,with%20Transnational%20Organized%20Crime>. Accessed November 5, 2025.

OLAYA LÓPEZ, D. The Colombian Amazon as a Subject of Rights. A Case of Environmental Justice. *Revista Ius*, vol. 16, no. 49, 223–251, 2022. https://www.scielo.org.mx/scielo.php?pid=S1870-21472022000100223&script=sci_arttext

PARDO, K. 2017. The story of the hunter who became a protector of the Andean bear. *El Tiempo*. Available at: <https://www.eltiempo.com/vida/medio-ambiente/rosalino-el-cazador-que-ahora-es-protector-del-oso-andino-en-huila-148400#:~:text=Thanks%20to%20that%20event%2C%20and,research%20in%20the%20same%20place%E2%80%9D>. Accessed November 5, 2025.

PÉREZ-SALAZAR, B.; ACEVEDO, L. M. Social Action and Law. In: Germán SILVA-GARCÍA (ed.). *Latin American Treatise on Legal Sociology*, Bogotá: ILAE, 2023, 147–190.

PRESIDENCY OF THE REPUBLIC, Civil House, Brazil. Law No. 5,197, of January 3, 1967. Provides for the protection of wildlife. *Official Gazette of the Union*, 1967. https://www.planalto.gov.br/ccivil_03/leis/l5197.htm

PRESIDENCY OF THE REPUBLIC, Civil House, Brazil. Law No. 9,605, dated February 12, 1998. Provides for criminal and administrative sanctions arising from conduct and activities harmful to the environment. *Official Gazette of the Union*, 1998. https://www.planalto.gov.br/ccivil_03/leis/l9605.htm

PRESIDENCY OF THE REPUBLIC, Civil House, Brazil. Law No. 9,985. *Official Gazette of the Union*, 2000. https://www.planalto.gov.br/ccivil_03/leis/l9985.htm

PRESIDENCY OF THE REPUBLIC, Chief of Staff's Office, Brazil. Decree No. 3,607, of 2000. *Official Gazette of the Union*, 2000. https://www.planalto.gov.br/ccivil_03/decreto/d3607.htm

PRESIDENCY OF THE REPUBLIC, Brazil. Office of the Chief of Staff. Law No. 14,064/2020. *Official Gazette of the Union*, 2020. https://www.planalto.gov.br/ccivil_03/_ato2019-2022/2020/lei/l14064.htm



PRESIDENCY OF THE REPUBLIC, Office of the Chief of Staff, Brazil. Decree No. 11,349, January 1, 2023. Approves the Organizational Structure and the Schedule of Appointed Positions and Positions of Trust of the Ministry of the Environment and Climate Change and reassigns and transforms appointed positions and positions of trust, Official Gazette of the Union, 2023. https://www.planalto.gov.br/ccivil_03/_ato2023-2026/2023/decreto/D11349.htm

PRESIDENCY OF THE REPUBLIC, Chief of Staff's Office, Brazil. Decree No. 3,607 of 2000. de Macedo, RVG, & Dias, MDCO Decree No. 1082, 2000.

https://www.planalto.gov.br/ccivil_03/decreto/d3607.htm

QUIROZ VITALE, M. A. Divergence and Deviance as Categories of Criminological Thought. *New Paradigms in Latin American Social Sciences*, vol. 14, no. 27, 215–242, 2023.

RAMÍREZ, L. J. Mutilations, Death, and Other Consequences of Illegal Wildlife Trafficking. 2022. Available at: <https://bogota.gov.co/mi-ciudad/ambiente/consecuencias-del-traffic-y-tenencia-ilegal-en-los-animales-silvestres>. Accessed August 27, 2025.

RAMÍREZ SIERRA, J. C. “On Justice in the Political Philosophy of Leopoldo Zea.” **Cultura Latinoamericana**, vol. 39, no. 1, 140–154, 2024. Juan Carlos Ramírez Sierra, “On Justice in the Political Philosophy of Leopoldo Zea,” **Cultura Latinoamericana** 39, no. 1 (2024): 140–154.

RENTAS. NATIONAL NETWORK TO COMBAT WILDLIFE TRAFFICKING. Brazil. Report, 2001. Available at: https://www.rentas.org.br/wp-content/uploads/2014/02/REL_RENTAS_pt_final.pdf

RUAS, Mongabay. *Fraud and Corruption: The Main Drivers of the Illegal Wildlife Trade in the Brazilian Amazon*. 2024. Available at: <https://es.mongabay.com/2024/10/fraude-corrupcion-comercio-ilegal-de-fauna-silvestre-amazonia-brasil/>. Accessed August 27, 2025.

SÁNCHEZ JARAMILLO, J. F. Colombia: Nature as a Subject of Rights: Between Activism and Containment. *Novum Jus*, vol. 16, no. 3, 189–218, 2022. <https://doi.org/10.14718/NovumJus.2022.16.3.8>

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT. 2025. *Wildlife Trafficking: Why Battling This Illicit Trade Is Crucial*. Available at: <https://www.ice.gov/features/wildlife>. Accessed August 16, 2025.

SILVA-GARCÍA, G. *The Real World of Lawyers and Justice. The Administration of Justice. Vol. III*, Bogotá. Externado and ILSA.

SILVA-GARCÍA, G. Corruption and Human Rights. The Fiscal State and Kleptocracy. **Opción**, vol. 35, no. 25 (special issue), 12–49, 2019.

SILVA-GARCÍA, G.; ÁVILA CANO, V. Criminal Control and Gender: ¡Baracunátana! An Elegy to Power Over Rebellion. *Revista Criminalidad*, vol. 64, no. 2, 23–34, 2022.

SILVA-GARCÍA, G.; BONILLA UYABAN, D. M. Sustainability in Criminological Analysis: The Case of Coal Mining in Boyacá. **Via Inveniendi et Iudicandi**, vol. 18, no. 2, 270–292, 2023.



SILVA GARCÍA, G. Legal education and its impact on legal practices. *New Paradigms in Latin American Social Sciences*, vol. 14, no. 28, July–December, 75–112, 2023. <https://nuevosparadigmas.ilae.edu.co/index.php/llaeOjs/article/download/290/646/1465>

SILVA GARCÍA, G.; PÉREZ SALAZAR, B. The Evaluation of Research Published in Books and Its Impact on Colombian Higher Education. *Journal of University Pedagogy and Legal Didactics*, vol. 10, no. 2, 101–120, 2023. <https://revistas.uchile.cl/index.php/RPUD/article/view/71285>.

SILVA GARCÍA, G.; ORTEGA RUIZ, L. G. Why Are Legal Norms Passed in Congress? A Socio-Legal Analysis of the Creation of Legal Norms. *Revista Republicana*, no. 35, 133–150, 2023.

SILVA GARCÍA, G.; VIZCAÍNO SOLANO, A. “The Dance of the Leftovers.” *The Legal Profession: Political Power and Exclusion in Colombia*, *Via Inveniendi et Iudicandi*, vol. 19, no. 1, 25–51, 2024.

SILVA-GARCÍA, G.; VIZCAÍNO SOLANO, A.; PÉREZ-SALAZAR, B. The Debate Concerning Deviance and Divergence: A New Theoretical Proposal. *Oñati Socio-legal Series*, vol. 14, no. 2, 505–529, 2024.

SILVA-GARCÍA, G. Crises and Transformations in Criminal Social Control within the Context of Colombian Legal Culture. **Cultura Latinoamericana**, vol. 39, no. 1, 156–192, 2024.

SILVA-GARCÍA, G.; PÉREZ-SALAZAR, B. The Distortions of Mainstream Criminology in the Global North: Towards a Southern Criminological Worldview. **Novum Jus**, Bogotá, vol. 19, no. 1, 393–418, 2025.

SILVA-GARCÍA, G.; GONZÁLEZ MONGUÍ, P. E.; VIZCAÍNO SOLANO, A.; PÉREZ-SALAZAR, B. Attitudes and Crossroads in the Face of Public Corruption. “Neither so much that it burns the saint nor so little that it fails to illuminate him!” **Via Inveniendi et Iudicandi**, vol. 20, no. 1, 2025, 9–23.

SILVA-GARCÍA, G. A Theory on the Purpose of Criminal Law in a Context of Democratic Values. *New Paradigms in Latin American Social Sciences*, vol. 16, no. 31, 7–42, 2025.

SUPREME COURT OF JUSTICE, Brazil. Environmental protection as a fundamental right. The State’s liability for environmental damage is joint and several in cases of failure to fulfill its duty of control and supervision. M.P. Herman Benjamín March 24, 2009 <https://www.stj.jus.br/PJl/search/toc.jsp>

SUPREME COURT OF JUSTICE, Brazil. Facts that have already occurred cannot be applied to environmental law. M.P. Eliana Calmon . (October 8) 2013. Available at: <https://www.stj.jus.br/PJl/search/toc.jsp>

SUPREME FEDERAL COURT (STF), Brazil. STF News, (January), 2026. Available at: <https://noticias.stf.jus.br/postsnoticias/supremo-vai-definir-competencia-para-julgamento-de-crimes-contra-especies-ameacadas/>

TRANSPARENCY INTERNATIONAL. *Corruption and Wildlife Crime*. 2023. Available at: <https://www.transparency.org/en/cpi/2023>. Accessed August 16, 2025.

COURT OF JUSTICE OF THE FEDERAL DISTRICT AND TERRITORIES, Brazil. Court convicts those involved in the Naja snake case. May 8, 2023. Visit PJe1 and view the case: 0707031-51.2020.8.07.0004, 2023. <https://www.tjdft.jus.br/institucional/imprensa/noticias/2023/maio/justica-condena-envolvidos-no-caso-da-cobra-naja>



UNDOC, UNITED NATIONS OFFICE ON DRUGS AND CRIME. *Global Report on Wildlife and Forest Crime*. 2024. Available at: https://www.unodc.org/documents/data-and-analysis/wildlife/2024/Wildlife2024_Final.pdf. Accessed November 5, 2025.

UNDOC, United Nations Office on Drugs and Crime. *World Wildlife Crime Report 2024: Trafficking in Protected Species*. United Nations. 2024. Available at: https://www.unodc.org/documents/data-and-analysis/wildlife/2024/Wildlife2024_Final.pdf. Accessed August 17, 2025.

WILDLIFE CONSERVATION SOCIETY, Colombia. *Environmental Crimes and Their Impact on Aquatic Ecosystems*. 2022. Available at: <https://colombia.wcs.org/es-es/WCS-Colombia/Noticias/articleType/ArticleView/articleId/17476/COMUNICADO-DE-PRENSA--Webinar-Environmental-Crimes-and-Their-Impact-on-Aquatic-Ecosystems-in-the-Amazon.aspx#:~:text=During%20the%20event%2C%20Dr.,%20the%20United%20States%20and%20the%20United%20Kingdom>. Accessed September 20, 2025.

WORLD WILDLIFE FUND FOR NATURE/DALBERG. *The Fight Against Illegal Wildlife Trafficking*. 2012. Available at: http://awsassets.wwf.es/downloads/wwffightingillicitwildlifetrafficking_spanish_lr.pdf. Accessed August 17, 2025.

WORLD WILDLIFE FUND FOR NATURE. *Stopping the Illegal Wildlife Trade*. 2022. Available at: <https://www.wwf.org.uk/what-we-do/stopping-illegal-wildlife-trade>. Accessed August 17, 2025.

WORLD ANIMAL PROTECTION BRAZIL. *Confirms 38 million and a 90% mortality rate*. 2025. Available at: <https://www.worldanimalprotection.org.br/mais-recente/blogs/trafico-de-animais-silvestres-crime-ambiental>. Accessed August 17, 2025.

WORLD WILD FOUNDATION COLOMBIA. *How the criminal and corrupt networks behind wildlife trafficking in the Colombian Amazon and Pacific regions operate*. 2021. Available at: <https://www.wwf.org.co/?366015/Detras-del-trafico-de-fauna-silvestre-hay-redes-criminales-y-corruptas-que-acaban-con-la-biodiversidad-de-la-Amazonia-y-el-Pacifico-colombianos>. Accessed January 3, 2026.