



## PRESS RELEASE

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Associazione per la Biodiversità e la sua Conservazione  
IUCN SSC Cactus and Succulent Plants Specialist Group  
Conservation-Litigation.org

## Cacti will have their day in court

**Ancona, Italy, 18 April 2024** – Following the momentous seizure of over 1,000 rare and protected Chilean cacti from a greenhouse in Senigallia, Italy, the plants will finally have their day in court. Tomorrow, the Court of Ancona will hear the unusual case against two individuals who allegedly poached and smuggled some of the world's most threatened cacti from Chile's Atacama Desert. The plants were destined for sale to private ornamental collections around the world.

Rarely are illegal plant traders prosecuted like this. Yet cacti are declining at an alarming rate - a recent study found that 31% of all cacti species are threatened with extinction, and the illegal collection of plants from the wild is one of the primary drivers of loss.

The Prosecutor of Ancona's response to this case reflects an increasing recognition of the harms caused by environmental crime. What makes the case even more remarkable is the involvement of an international team of scientists, lawyers and conservationists in developing additional legal responses, alongside the criminal prosecution. Supported by [Conservation-Litigation.org](https://www.conservation-litigation.org), IUCN and a team of pro bono lawyers, the [Associazione per la Biodiversità e la sua Conservazione](https://www.associazioneperlabiodiversita.org) (ABC), a cactus conservation group founded by Andrea Cattabriga, is also taking legal action.

The Court of Ancona has confirmed ABC's right to act as a civil party in the criminal proceedings, and ABC is now bringing a civil claim for harm to the Association's mission to "*promote concrete actions for the protection of biodiversity, everywhere in the world*". If awarded, the defendants would have to compensate ABC – funds that will be invested into meaningful remedies to support cacti conservation, including efforts to save the plants and species harmed by this illegal trade.

This civil claim is part of a series of cases supported by [Conservation-Litigation.org](https://www.conservation-litigation.org). "*Our network is currently developing cases just like this one across 6 countries. A Green Wave of cases argue this key point – if you harm nature, you can be held accountable for helping to remedy it*", says Dr. Jacob Phelps, Co-Executive Director of Conservation-Litigation.org and faculty at Lancaster Environment Center.



Whatever the final outcome of the proceedings, the Court's admission of ABC as a civil party in this case has a wider historical and legal significance: although allowed under Italian law, this recognition was not a foregone conclusion as case law on this topic has not been consistent. This case confirms that groups like ABC have a right to take part in criminal proceedings related to offences that could harm their missions.

*"This is confirmation that conservation groups can help give a powerful legal voice to nature's rights",* explains Maribel Rodriguez, Co-Executive Director of [Conservation-Litigation.org](http://Conservation-Litigation.org).

The team from the law firm DLA Piper, coordinated by Raffaella Quintana and involving Federico Lucariello, Ornella Belfiori, Francesca Cannata, Maria Chiara Panichi and Matteo Nicolì, has been providing *pro bono* legal assistance.

The case is also supported by the [IUCN SSC Cactus and Succulent Plants Specialist Group](http://IUCN SSC Cactus and Succulent Plants Specialist Group), which contributed to developing the claim against the defendants, describing how the alleged offences have harmed cactus conservation. The Specialist Group also helped to repatriate the rescued cacti – a story that already made global headlines, including in [The New York Times](http://The New York Times), when more than 800 of the plants were returned from Italy to Chile for conservation.

*"This action helps to bring this story full-circle. The identified offenders have been caught and are being prosecuted, and the plants have been returned to Chile. Although the harm to these threatened species cannot be undone, our legal action will hopefully help to ensure their survival",* says Cattabriga.

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## Images and Additional Information:

### Threatened Cacti in the Atacama Desert

The Andean plateau that runs 1,600km along Chile's Pacific coast is one of the driest places on Earth. Yet the Atacama Desert hosts a vibrant and unique plant life that has adapted to these extreme conditions – including some of the world's most remarkable cactus species.

Most of these cacti are found nowhere else on Earth, and some of the species seized during this case are narrow endemics. For example, the Endangered *Copiapoa grandiflora* has a distribution of only 305km<sup>2</sup>. Other species, such as *Copiapoa cinerea*, are uniquely slow growing, and some of the seized plants were more than 100 years old.

This combination of narrow distribution, rarity and slow growth are part of what makes these plants so vulnerable to illegal collection for the international trade in ornamental plants. Indeed, cacti are among the most threatened taxonomic groups assessed to date by the IUCN Red List of Threatened Species: [31% of the 1,478 evaluated species are threatened with extinction](#). The Atacama is not only a centre of cactus diversity, but also a hotspot of threatened species – specifically driven by illegal harvest for the horticultural trade.



One of the most economically valuable plants confiscated was a crested *Copiapoa cinerea*, a uniquely slowly growing species from coastal Chile. Some of the seized plants were likely more than 100 years old. Credit: A. Cattabriga/Associazione per la Biodiversità e la sua Conservazione





*Copiapoa cinerea subsp. columna-alba* in its natural habitat in Chile.  
Credit: B. Goettsch



*Copiapoa calderana*, one of the Chilean cactus species confiscated from the traders



Credit: H. Zell.



*Eriosyce napina*, one of the Chilean cactus species confiscated from the traders  
Credit: Jardín Botánico Nacional, Viña del Mar, Chile