



EUROPEAN BORDER AND COAST GUARD AGENCY

# ENVIRONMENTAL CRIMES FROM THE PERSPECTIVE OF CROSS-BORDER CRIME AND ITS LINKAGES WITH OTHER CRIMINAL MARKETS

Open Source Research

**JHAAN Seminar on Environmental Crime - 01 June 2021**

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# Introduction | defining EnviCrime

The definition of environmental crime is not universally agreed, neither on global or at the EU level.

**Environmental crime definition is composed of:**

- (i) illegal activities harming the environment;
- (ii) aimed at benefitting individuals or groups or companies
- (iii) from the exploitation of, damage to, trade or theft of natural resources

**Directive 2008/99/EC (Article 3)** on the protection of the environment through criminal law:

- Revision process in progress
- Main legislative challenges: scope; definitions of offences; sanctioning; enforcement.

# Introduction | EnviCrime typology

Environmental crimes are also known as **control crimes**.

The detection rate for environmental crime is linked to the **activities of national management and supervisory agencies** in charge of monitoring compliance.







## **Chosen Environmental Crime types from the EU external border perspective**

# EU external border | Waste illicit trafficking

## SOLID WASTE trafficking

**Trend:** the EU is exporting to the Asia-Pacific countries.

Import bans of plastic waste in China and India (2018-21)  
- **new routes and destinations are identified:**

- **EU destination countries:** PL, CZ, SK, RO, BG, HU;
- **Asian destination countries:** MY, TH, ID, India
- **African countries** - possible new destination for waste trafficking.

### **Modus operandi:**

- sea route in containers
- land routes by train and trucks
- documentation fraud and administrative misconduct

## WASTE OF ELECTRIC & ELECTRONIC EQUIPMENT trafficking

**Modus operandi:** transported in filling containers via the sea route in vessels.

**Destination:** African countries or Eastern European countries.  
West African countries: MA, SN, BF, ML

## SANITARY WASTE trafficking

Pandemic-related violations - trafficking of sanitary and plastic waste from health centres through ports.

- Operation Retrovirus
- 30 Days at Sea



# EU external border | Wildlife trafficking

The EU remains a **major importer, exporter and transit region** for the legal and illegal wildlife trades




Example: **TIMBER**

The EU has been estimated to import about 20% of the illegally felled timber in the world.

## Trade routes

The major ports and airports of the EU are transit points for trafficking to Asian countries.

- **Africa to major trade hubs**
  - The hubs include major airports (FR, BE, DE) and major ports (BE, NL).
- **Eastern European land routes.**
  - illegal import of wildlife products from RU.

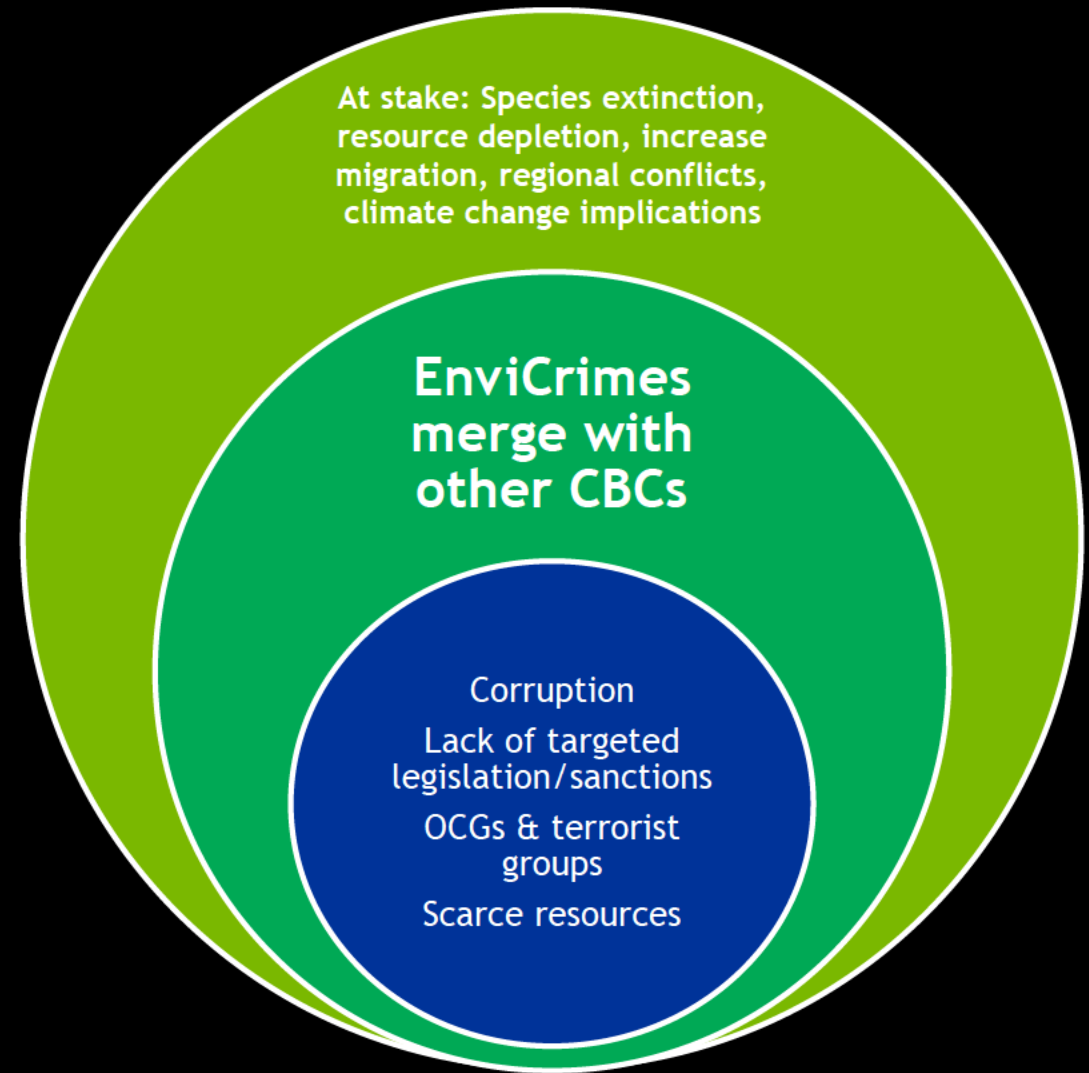
A man in a light blue short-sleeved uniform shirt is seen from the back, looking through black binoculars. He is standing on a grassy hill overlooking a vast blue ocean under a sunset sky with soft orange and pink hues. The text "Interlinkages of EnviCrimes with other cross-border crimes" is overlaid in white on the right side of the image.

## **Interlinkages of EnviCrimes with other cross-border crimes**

# Interlinkages | Characteristics

## Environmental Crime:

- cross-cutting criminal activity;
- **cannot be tackled in isolation from other crimes;**
- multidisciplinary approach;
- requires international cooperation, intelligence and information sharing.



# The convergence of emerging threats of EnviCrimes related to OCGs and armed conflicts

Model of EnviCrime in connection to OCGs and terrorist groups:



- Example of:
  - Al-Shabaab's control of Somalia's major port
  - Illicit wildlife poaching and trafficking of ivory in sub-Saharan Africa

At EU level, MS have not yet adopted measures to combat organised environmental crime.

## Interlinkages | EU perspective

2/3 of the EnviCrime cases referred to Eurojust\* in 2021 concerned other crimes in addition to EnviCrimes. These relate mostly to e.g.:

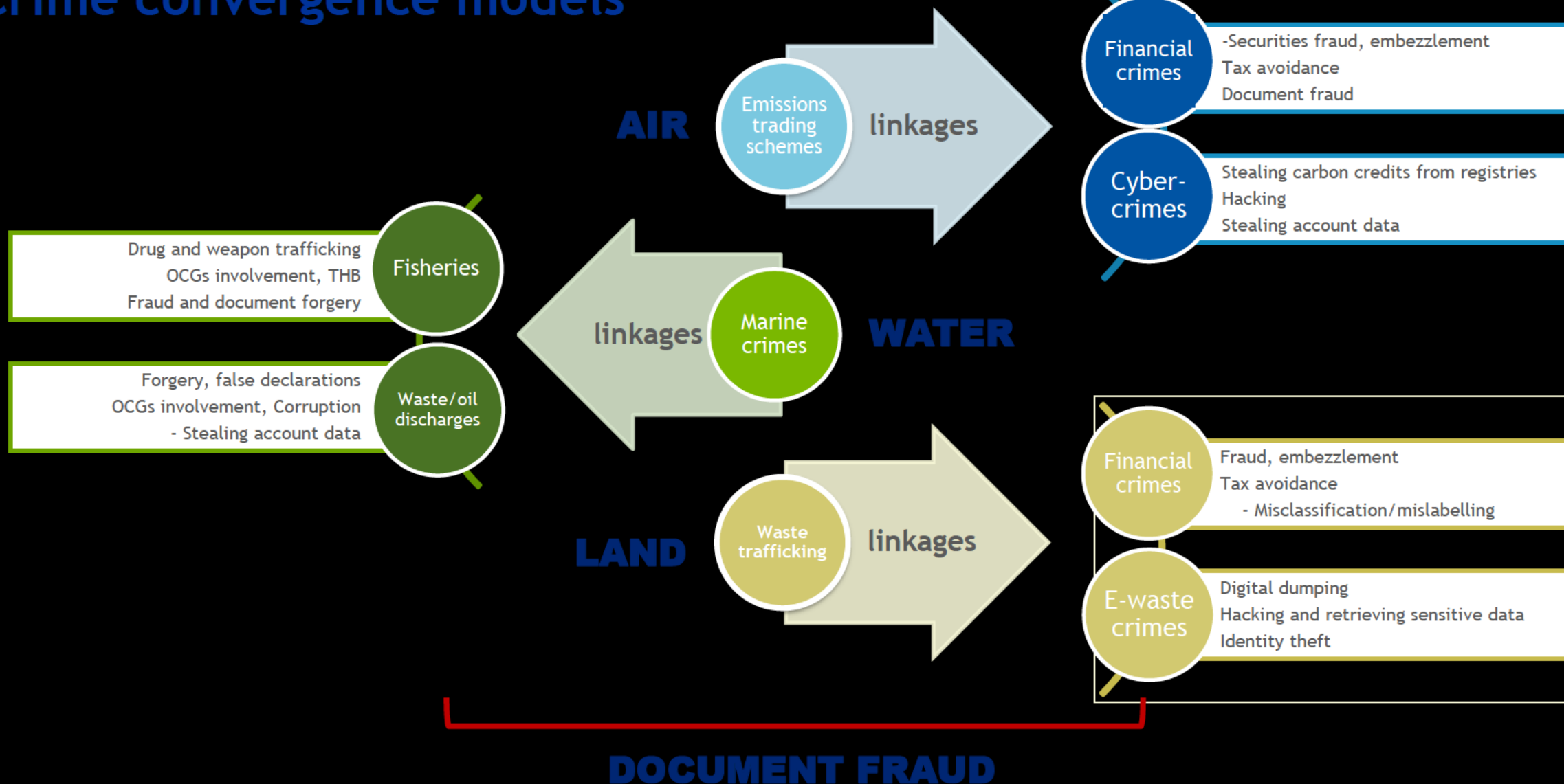
- organised crimes (17%),
- fraud (17%),
- document forgery (16%)
- money laundering (11%).

Criminal networks correlated with Envirimes are engaged in **drug trafficking, counterfeit of goods, corruption and most of the time relate to the document forgery.**

Still, those crimes are perceived as '**lead crimes**' during criminal proceedings.

\*Source: Report on Eurojust's Casework on Environmental Crime, Eurojust, January 2021

# Crime convergence models

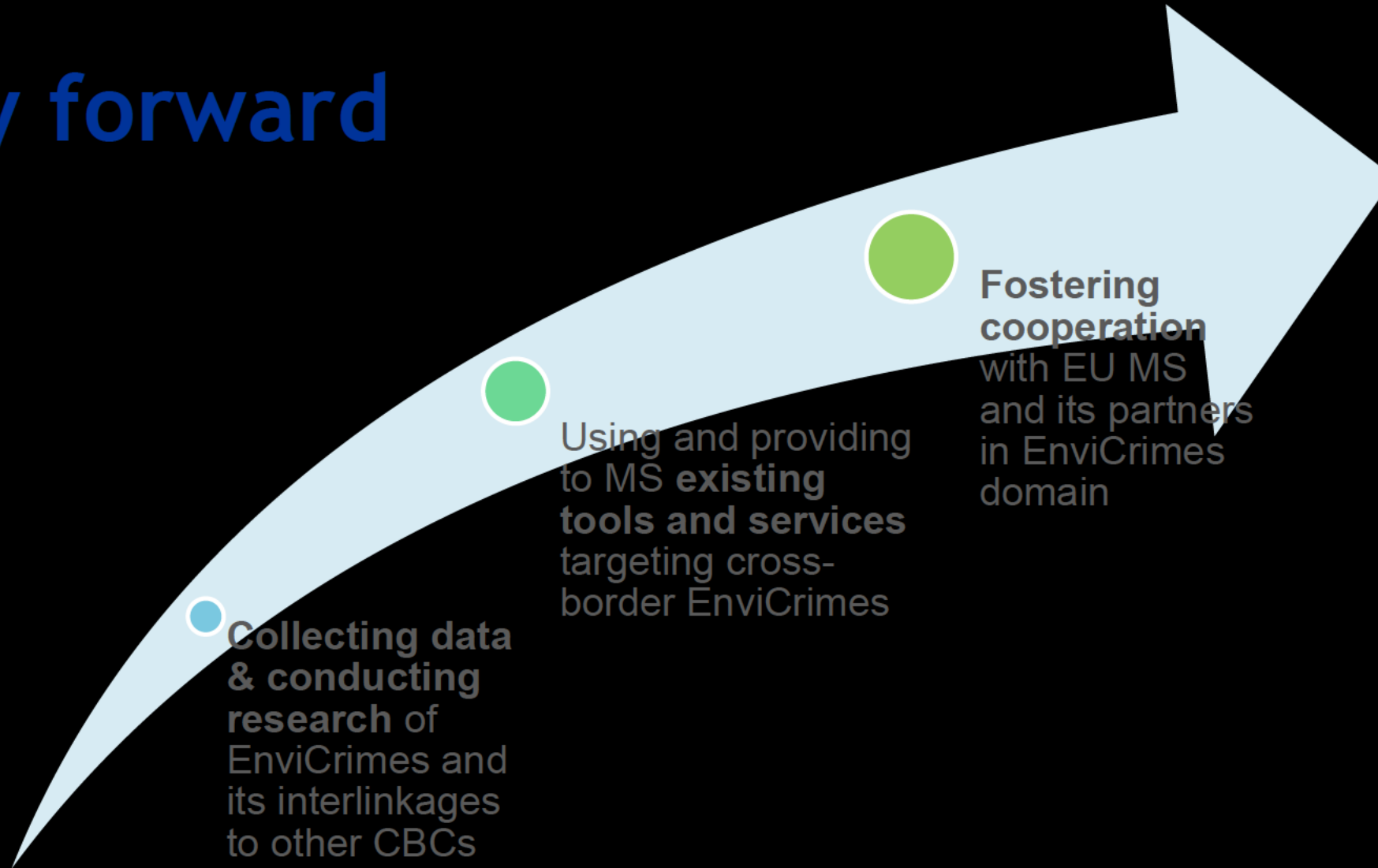




# Conclusions and recommendations

1. **High-profit and low-risk nature of envicrimes**
  - introduction of harsher sanctioning system
2. **Lack of effective information & intelligence exchange and multi-agency collaboration**
  - enhancement of international cooperation, regular gathering and exchange of data
3. **Need for specialized training for law enforcement authorities combating EnviCrimes**
  - focus on training and learning methods
4. **Unharmonized legislation with different implementation of existing EU Directives**
  - enforcement of unified legal framework at the EU level
5. **Research and analysis is not updated regularly**
  - broader research and data gathering in a domain of EnviCrime linkages to other CBCs and OCGs

# Way forward





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**Thank you for your attention!**

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