Combating transnational trafficking of waste: lessons learnt from Italy

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Why Environmental Crimes?

- Emerging form of transnational organized crime
- Led by high profits, low risk of detection, prosecution and conviction rates
- Danger to human health and environment
- Threat to security, social and economic development
- Linked to corruption, tax evasion, lawlessness
UNICRI Eco-Crime Programme
What has been done?

Since 1991 UNICRI has been analyzing crimes against the environment

CURRENT FOCUS

✓ Illicit trafficking of hazardous and electronic waste (e-waste)
✓ Environmental crimes & corruption
UNICRI has carried out a mapping of international illegal trafficking of waste from Italy to identify:

- Main **trends** and **patterns**
- Main **trafficking routes**
- Main **modus operandi**
- Involvement of **organised crime**

The **Italian Case** has been taken into consideration to draw some general remarks to be applied to the dynamic of illicit trafficking originating from other countries.
Ecomafias: the Italian Case

- Mafia sector which manages activities highly dangerous to the environment, such as trafficking of toxic waste

- Term introduced by Legambiente in 1994

- In 1990s, it became clear that Mafia type-organisations (such as Cosa Nostra, Camorra and 'Ndrangheta) were deeply involved in the in various illegal trafficking and environmental NGOs called the public attention on the large number of Ecomafia cases in Italy.

- Originally, this was the classic hierarchically structured organized crime in environmental crime.
Illicit waste management and trafficking can occur at any of the three different stages in the waste cycle:

- **ORIGIN**
  during the initial transfer from producers to firms specialized in waste management

- **TRANSIT**
  including transportation and storage activities

- **DESTINATION**
  including treatment, recycling and final disposal
“Organized traffic in waste” was criminalized as the first environmental crime offense in 2001

Currently, “illegal trafficking of waste” and “organized activities for the illegal trafficking of waste” is criminalized

Organized activities for the illegal trafficking of waste:
“The person who, in order to gain unfair profit through operations and preparation of means and organized continuing activities, sells, receives, transports, exports, imports or otherwise improperly handles large quantities of waste”
First Italian case

Operation *Greenland*

- February 2002
- Toxic trash trafficked from North to South of Italy
- Waste identity codes were falsified: toxic sludge was passed as an agricultural fertilizer;
- 52 persons prosecuted
- Seizure of 4 factories, 6 agricultural companies and 2 trucks
- 13 people were convicted four years after the operation; the case is still pending in the Supreme Court
Waste is a precious commodity and as such is traded. Each type of waste has a “preferred” destination, for example:

- **China** for plastic and paper
- **Ghana, Nigeria, Egypt, Somalia** and **Senegal** for scrap cars and home appliances
- **Burkina Faso, Ghana, Senegal, China, India** and **Vietnam**, for E-waste;
- **Tunisia, India, Albania, Arab Emirates** for textile waste
International trafficking departing from Italy

- Since 2001 the investigations into international trafficking from Italy have been 38, with 189 arrests and 509 complaints, 124 companies subject to judicial orders,
- with the involvement of as many as 22 countries (10 European, 5 Asian, 7 Africa) (source: Legambiente, 2013)
National cases: from 2001 to 2012

- 191 criminal investigations completed
- 664 companies involved
- 1,185 people arrested
- 3,348 people prosecuted
- 39 mafia clans have been involved in illegal activities related to the cycle of waste
- Estimated turnover for 2010 was € 3.3 billion – around € 43 billion over the last ten years (Source: Legambiente)
What made waste trade illegal?

- Mislabelling and forged documents
- Lack of required waste identification documents, travel documents or authorizations
- Lack of required treatment of waste
- False information on destination country (triangulation with 3rd countries, Free Trade Zones etc.)
Who?

The profile of the individuals and entities involved in the illicit dumping of waste in Italy:

- Private companies
- Public officials
- Politicians
- Criminal networks
Main actors

- Corporate entities, seeking to save money by circumventing laws and regulations
- Individuals engaged in other illicit operations who provide their services to environmental businesses
- Partnerships between conventional organized crime affiliates and legitimate businessmen, government officers and other official actors
The involvement of private companies

- Waste disposal is a bureaucratic, slow and very expensive process at local and national level.

- Criminal networks infiltrate indirectly through the public procurement of waste management services at the local level.

- Companies are sometimes forced to behave unlawfully and come to an agreement with criminal entities to avoid threats, blackmails and other serious damages.
The involvement of public officials and politicians

- Corruption and/or blackmail of public officials in charge of the management of dumping sites, waste transports, the provision of work means and maintenance activities.

- Criminal networks allow strong electoral support at the local level thanks to their “control” of the territory and in turn receive by local politicians facilitation in the assignment of public resources through public procurement, favouring the control of the criminal networks in the field of illegal dumping.
The involvement of criminal networks

Organised crime networks, especially as Camorra and N’drangheta, are involved at different levels:

1. First level: The imposition of “pizzo” (extortion)
2. Second level: The control of collateral activities
3. Third level: The direct management and deal of the waste-energy-plants – brokers of services
“Waste Ltd.”

“...no sir, no more drugs. Now I started a new business. Is more profitable and even safer: it’s called ‘monnezza’ (garbage), my friend. Because, believe me, monnezza is better than gold”

(Interrogation of Naples mafia informer Nunzio Perrella by the public prosecutor Franco Roberti)

- Yearly waste trafficking business is estimated approx. 7 billions euros
Connection with other serious crimes

Evidences of a range of other associated serious offences used to facilitate the principal offence and committed in the aftermath of an environmental crime

- Tax Evasion
- Document fraud
- Corruption
- Money Laundering
- Illicit Drugs Trafficking
- Counterfeiting
- Forced Labour
Objective: a platform for competent institutions and experts to discuss how to move forward and address environmental crime issues in a more effective and efficient way through a set of recommendations included in the Final Plan of Action on Combating Environmental Crime.

Participants: 130 representatives from IGOs, governmental authorities, environmental and law enforcement agencies, civil society organisations, academia and private sector.
Expert Group I: “Environmental crime in the current international legal framework: the way forward” discussed flaws in the current international legal framework, and developed recommendations to promote compliance with and enforcement of international and regional legal framework.

Expert Group II: “Environmental crimes: a growing business for organised crime and corruption” looked at the role of organised crime and corruption in different environmental crimes to identify trends, patterns and modalities of intervention and prepared recommendations on how to improve investigations, and better information exchange.

Expert Group III: “Illicit trafficking of waste: an international emergency” looked at the increasing role of organised crime, links with other serious crimes, and developed recommendations on how to improve data collection and analysis, exchange of information, and international investigations in this field.
What lies ahead at UNICRI

Countering WEEE Illegal Trade in Europe (CWIT)

UNICRI, Interpol and with international partners and high level experts from the academia and the private sector will:

- Develop a conceptual model of dynamics of the WEEE stream and actors involved
- Investigate the criminal activities and the organized crime groups that trade in this industry
- Provide a set recommendations to the European Commission, law enforcement and environmental authorities, based on identified gaps
What lies ahead at UNICRI

Research on the role of corruption in eco-crimes:

- Corruption & renewable energies
- Corruption & illegal waste management
- Corruption in timber logging
Thank you for your attention!

More information at:
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