ECOMAFIA

The environmental crimes and the role of criminal organizations
by Antonio Pergolizzi
Ecomafia: a neologism

- 1994: Legambiente coined the word “Ecomafia” to describe mafia organizations involved in environmental crimes.
- In the same year Legambiente published the first Ecomafia Report. Since then it has become an annual report, written in cooperation with all Italian law enforcements. Now it has become a fundamental handbook for those who work to fight the environmental crimes.
- We also work with the National Anti-mafia Prosecutor’s Office, which created a specific ecomafia unit.
Ecomafia’s business sectors

- Illegal building construction and material transport;
- Illegal waste trafficking;
- Abuse and illegal trafficking in flora and fauna;
- Trafficking in cultural heritage;
- Forest arsons, public water stealing, counterfeit food.
Ecomafia 2013 in numbers

- Total amount of environmental crimes discovered in 2012: **34,120** (more than 93 a day, more than 4 per hour)
- Arrested people: **161**
- Reported people: **28,132**
- Seizures: **8,286**
- Involved mafia families: **302** (+6 clan compared to 2011)
- Estimated profit: **16,7 mld €** (about 25% of the total mafia’s business amount)
Environmental Crimes 2012

- fires: 24%
- wildlife: 23%
- cement cycle: 19%
- waste: 15%
- archeo-mafia: 3%
- food: 12%
- other environmental offenses: 4%
The role of the Ecomafia Report

• Each year Legambiente collects from all the Italian law enforcements official data on verified crimes, arrests, complaints and seizures, to process them for writing the Ecomafia Report.
• Thanks to this work, all the law enforcements have improved their own system of data collecting.
• The Ecomafia Report gives also the opportunity to analize more deeply the repression and intelligence activities and the ecocrime’s trend.
A European Ecomafia Report?

• Since 1994 the Ecomafia Report has become an official document which proved to be useful for all the Italian Institutions (the Preface is written by the Italian Antimafia Prosecutor).

• This Report, or something like this, should be done at EU level, in order to better understand the issue.

• Nowadays, we know exactly what happens in Italy. But we don’t know what happens abroad: there still is a lack of informations on this issue.
The role of Legambiente Ngo

• For an Ngo like Legambiente writing the Ecomafia Report it’s not just a way to “take a picture” of the existing. It’s also a way to improve the system, proposing policy and legal reforms.

• I.e. Just yesterday (20 January 2014) I wrote to the Italian Parliament our considerations about the current reform of the environmental criminal law (we’ll talk about that a little bit later).
A multidisciplinary approach

• For an efficient fight against environmental crime it is required a global vision, with a multidisciplinary approach.

• First of all, we have to identify the vulnerabilities in the control and repression’s system; then it is possible to define the best strategy.

• For each chain (waste, wildlife, cultural heritage, building construction…) we should find a good prevention strategy; it is also important to getting to know the legal market to fully understand the illegal ones.
Who is fighting environmental crimes?

- Carabinieri Comando tutela Ambiente
- Carabinieri Comando tutela patrimonio culturale
- Corpo forestale dello Stato
- Guardia di finanza
- Polizia dello Stato (polizia stradale..)
- Capitanerie di Porto
- Agenzia delle Dogane
- Polizie provinciali e municipali
• In Italy in 1991 it was created the “Direzione Investigativa Antimafia”. It is a special interforces investigative group made by all the law enforcements specialized in the fight against mafias:
  • Guardia di Finanza;
  • Carabinieri;
  • Polizia di Stato;
  • Corpo forestale dello Stato.
15 billions seized in 10 years

• The DIA was conceived by Giovanni Falcone – one of the most important Italian anti-mafia magistrate, killed by Cosa Nostra in 1992 – and it is achieving the most important results in the fight against mafias, ecomafias and environmental crimes.

• The DIA has discovered the deepest secrets of ecomafia and has attacked the criminals in their huge economical power. From 1992 to 2011 the DIA seized to mafias almost 15 billions of euros.
### Valori dei Sequestri e delle Confische dal 1992 - 2011

(I valori dei beni sequestrati e confiscati sono espressi in euro)

<table>
<thead>
<tr>
<th>Organizzazioni</th>
<th>Sequestri (art. 321 cpp)</th>
<th>Sequestri (lex 575/65)</th>
<th>Confische (lex 575/65)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cosa Nostra</td>
<td>1.855.481.080</td>
<td>4.646.913.599</td>
<td>917.686.114</td>
</tr>
<tr>
<td>Camorra</td>
<td>1.901.142.500</td>
<td>2.261.042.220</td>
<td>637.162.000</td>
</tr>
<tr>
<td>'Ndrangheta</td>
<td>270.965.813</td>
<td>694.312.254</td>
<td>216.381.444</td>
</tr>
<tr>
<td>Crim.Org.Pugl.</td>
<td>68.797.795</td>
<td>98.562.000</td>
<td>73.978.698</td>
</tr>
<tr>
<td>Altre</td>
<td>584.769.000</td>
<td>176.653.000</td>
<td>102.906.102</td>
</tr>
<tr>
<td><strong>Totali</strong></td>
<td><strong>4.679.906.438</strong></td>
<td><strong>7.706.360.367</strong></td>
<td><strong>1.902.145.373</strong></td>
</tr>
</tbody>
</table>

Source: DIA
DATI COMPLESSIVI
ORDINANZE DI CUSTODIA CAUTELARE

<table>
<thead>
<tr>
<th>Organizzazioni</th>
<th>Valori</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cosa Nostra</td>
<td>1.897</td>
</tr>
<tr>
<td>Camorra</td>
<td>2.799</td>
</tr>
<tr>
<td>'Ndrangheta</td>
<td>2.582</td>
</tr>
<tr>
<td>Crim.Org.Pugl.</td>
<td>708</td>
</tr>
<tr>
<td>Altre</td>
<td>1.451</td>
</tr>
<tr>
<td>Totale</td>
<td>9.436</td>
</tr>
</tbody>
</table>

Source: DIA
The last DIA anti-mafia operation

• During the last DIA anti-mafia operation, called “Flour”, they were seized assets worth 45 millions of euros to only one person: Paolo Farinella, boss of Cosa Nostra (Caltanissetta, Sicily).

• With his wife, he was the owner of several construction companies, that have won over the years many big contracts with the Public administration in all the national territory. Farinella and his wife were also the owners of farms and buildings and huge tracts in the provinces of Caltanissetta and Palermo.
• Established in 1991 thanks to Giovanni Falcone, like the DIA, the DNA coordinates the work of all the 26 anti-mafia Courts; its chief is the anti-mafia National Prosecutor Franco Roberti.

• Each anti-mafia Court shares to DNA informations and data. It has an important intelligence role.

• Since 2010 the DNA has the exclusive jurisdiction on the illegal waste trafficking inquires (ex art. 260 Dlgs 152/2006).
Not always mafia…

• This exclusive jurisdiction on waste inquires takes for granted that mafias are always involved: but this is not true.
• In the cases which not involve mafias (most of them, according to the investigation data), the local Prosecutor, who knows better the territory, could be more efficient.
The limits of the Italian law
Ineffective penalties

- The Italian environmental penal law is unable to guarantee a good protection, since it provides penalties just for simple formal violations and not for the damage caused (it punishes the abstract endangerment, not the concrete one).

- It punishes environmental crimes just with a small fine, clearly violating the principles of the EU Directive 99/2008, which call for “effective, proportionate and dissuasive” punishments.
Italian Penal Code

Crimes: more serious (i.e. murder, rape, robbery)

Violations: less serious (i.e. breach of the peace and almost all environmental crimes)
The limits of the Italian law
Illegal building it’s not ecocrime

• The Italian environmental penal law takes into account only the emission of substances or energies in the environment, not, for example, the illegal use of cement.
Palafitte on a river (Imperia, Liguria)  Hall of residence on the river (Reggio Calabria)
There is a strong link between illegal (and legal) construction and “natural” disasters

Scarcelli (Messina, Sicily)
Frana di Maierato (Vv)
Illegal – or legal or *half legal* (e.g. beyond the urbanistic planning) – building construction

Infrastructures built even where it would be unsafe (e.g. in an area with a huge idrogeological risk)
Who is the fault?
Ventimiglia, Liguria (17 January 2014)
The limits of the Italian law

Inadequate control

• The so-called “Command and Control principle”, that has guided since now the Italian environmental legislation, requires a big bureaucracy and an equally big apparatus of control, which has led to high levels of corruption.

• The Italian control system is inadequate for two more reasons: because of the lack of resources and because this system is influenced by political and economic power.
The limits of the Italian law
An economic view

• The Italian environmental law pays more attention to economic issues than to environmental ones.

• This is the result of an anthropocentric and economic view, who does not consider environmental externalities (caused mainly, but not exclusively, from production activities). In short, an approach which makes the profits private and the environmental costs social.
Crimes without victims

• This approach comes from the fact that ecocrimes are usually defined as “crimes without victims”. It means that the victims are not immediately identifiable.
The limits of the Italian law
Furthermore...

• Often law enforcement and prosecutors have inadequate expertise because of complex and changing laws.

• More and more often the intervention of the magistrates is simply the result of wrong (or missing) political choices; it is evident that the best choice is good policies.

• A typical example is the actual inquire about the bigger landfill in Europe, Malagrotta, near Rome. The inactivity of politics on solid and urban waste helped the creation of a big system of corruption, inefficiencies and environmental damages.
A deep economic issue

- Illegal waste trafficking is one of the most important economic issue and concerns industrial development patterns which have systematically left aside environmental issues (K. W. Kapp).
- From this point of view, ecomafia is the exacerbation of economic models that have always put aside the environmental, social and health costs of production.
The current reform of the environmental criminal law

• In these days, in Italy, we’re just in the middle of an environmental criminal law reform. After 25 years from the first request, the Italian Parliament is discussing for the introduction of environmental crimes into the Penal Code.
• After a long procedure, the current text introduces 4 new crimes (at the beginning they were more): pollution, environmental disaster, obstruction of controls, illegal transport and abandonment of radioactive materials.
• Especially in some fields (i.e. wildlife protection), this reform could – and should – have been better.
• One of the most important problems is that these 4 news crimes are linked just to the violation of the environmental law (as provided by the best known Environmental Code – Dlgs 152/06); it means that a fraud that cause an environmental disaster could not be considered in the news crime; also the violations of the law regarding the cultural heritage, the building construction, the beauty and the safety of the territory, the counterfeiting, etc.
• The most important news brought from that reform is the shift to a different form of criminalisation: from one based on an “abstract endangerment” to one based on a “concrete endangerment”.

• It may be easier to punish the perpetrators of a serious damage to the environment; this mean that law enforcement have to find the damage’s proof: this is not always easy, especially in Italy

• As a whole, we are quite satisfied.
A new mechanism of penalty extinction

• The reform is going to introduce a new mechanism of extinction of ecocrimes administrative sanctions (most of them).

• As soon as the company is discovered to violate the law (in the cases where there is no damage to the environment), it is given a certain time to put in line with the law. If the company complies with the requests, the sanction falls; otherwise the case moves under the Penal Court authority.
The Waste
Counterfeiters of waste

• In order to get maximum profits and minimize the costs, criminals systematically counterfeite the documents accompanying waste disposal: a stratagem to make appear treatments which never happened or to pass dangerous waste off as less dangerous.

• Set up the fraud is very easy: you just have to change a number (the so-called “Cer code”) on the Fir document. This type of counterfeiting is called «giro-bolla» and it is the most used by illegal traffickers of waste.
Industrie produttrici dei rifiuti 

Industrie produttrici dei rifiuti 

Trasporto verso società di smaltimento 

“Giro Bolla” 

Declassificazione fittizia dei rifiuti 

Smaltimento illecito come fertilizzanti.

Falsificazione della documentazione analitica e di trasporto dei rifiuti, al fine di poterli fraudolentemente immettere, annullando i costi di smaltimento, nel circuito delle materie prime quali soprattutto fertilizzanti per l’impiego in agricoltura.
It's enough to change a number
For example, a toxic solvent, which should be addressed to a landfill for hazardous waste, can be easily “transformed” into a harmless urban waste. Because of this counterfeit, the toxic solvent is, at best, addressed to a landfill for municipal waste. At worst, it is thrown into an illegal landfill or recovered as compost to be used in farmlands.
Agricultural field near Caserta: illegal disposal of toxic waste used as 'fertiliser' (photo taken by Police force)
Who control?

• At the beginning of waste’s chain, there is no real control: to fill out a Fir doc. is self-certification.

• Checks may – not must – come later, in the form of routine inspections or judicial investigations.

• It’s obvious that what the law enforcement reveals it’s just the tip of the iceberg.
A vicious cycle

• On waste sector, there is a strong link between illegal production and illegal disposal of waste.
• Often the illegal traffickers of waste play a role both in the legal and illegal market. Managing waste disposal and treatment plants, they provide a cheaper “service” to many societies which want to spare money.
• Usually the “black market” of waste is also linked to counterfeiting.
Environmental emergencies?

• Very often the waste treatment plants designed to encourage recycling are used to falsify shipping documents and simulate clean-up operations which never actually occurred.

• Until now in Italy the repeated declarations of “environmental emergencies” have given to mafias and its allies the opportunity to circumvent law and monopolize the whole waste cycle, because they were able to endure a quick solution.

• Campania is the best case study.
The notorious *Ecoballe* in Campania: they are just waste chopped and packed by the Italian authority.
One of the illegal landfills discovered near the centre of Casal di Principe (Caserta), 18th September 2013
Men at work in an illegal landfill in Casal di Principe (Caserta)
Gypsies are the favourite manpower of Camorra: especially the youngs are used to burn illegal dumps
The poor figure of Sistri

“Sistri” is the name of a project presented by the Italian Environmental Ministry in 2009. According to this project, Italy should have realized a satellite control system to monitor all the waste movements from the producer to the final disposal.
• This project was presented as the panacea against ecomafia.
• Actually “Sistri” has never worked! It is going to come into action on March 2014, but it will affect just the hazardous waste’s producers with more than 10 employeers (we’re talking of 17 thousands operators, less than 10%).
• In the meantime, 3 inquires were opened on this project. One concerns supposed fraud and corruption in the contract procedures (strangely covered by State secret).
The good road
Some advices for the future

• The most important best practise on waste is obviously prevention. Where the (local or national) Institutions apply virtuous policies, the risks of illegality is reduced, if not nullified.

• The mafias, for example, are unbeatable with the older model: transport by tracks and disposal in landfill. Make the waste moving less is a good form of prevention.

• Each big industrial zone should provide an internal and modern system of waste disposal.
Ravenna, January 2014: the only hazardous waste treatment plant in Italy
- We should take into consideration not only municipal waste, but also special waste, which represent the 80% of the total amount.
- In Italy it actually happens the opposite. Maybe because public opinion and media are only interested in municipal waste.
Repression: what we need?

• A better coordination between all the law enforcements. In 2010 a good step in this direction was the decision to make the illegal waste trafficking inquiries (art. 260 D.lgs 152/2006) under the jurisdiction of the DNA.

• More controls to the whole waste chain thanks to the new technologies and flow analysis risk.

• Controls coordinated at international (or at least European) level: to imagine harder controls only in one country, could just redirect the illegal waste loads to a country with less controls (no environmental dumping).
• Fiscal and economic policies which encourage recycling and using/purchasing recycled products (Green public procurements).
• Industries’ associations should take drastic decisions, such as expelling those who proved responsible of environmental crimes. Similarly, a few years ago the biggest Sicilian Industries’ Confederation (Confindustria) decided to throw out all the entrepreneurs allied to the mafia.
One Italian good practice

• In 2001 the Italian Parliament adopted a bill about the crime of “organized activity for illegal waste trafficking” (art. 260 Dlgs 152/2006).

• It allows the investigators to use appropriate investigative tools (such as wiretappings and electronic surveillance) against environmental crimes, provides for severe punishments for illegal trade in hazardous waste and gives also the possibility of resorting to international letter rogatories. It is an exception in our legislation.
• Since then the Italian legal framework made an important step ahead in fighting illegal waste trafficking.
• Those legal tools enabled to dismember some of the most active transnational criminal holdings.
• Before this law, nobody had been punished for the crime of illegal waste trafficking.
• This law should be extended to all EU countries.
Investigation over illegal waste trafficking: some figures

Since 2002:

- **219** investigations completed
- **703** companies involved
- **90** Public prosecutor offices involved
- **1,374** people arrested (**3,852** reported)
- **26** foreign countries involved (11 in Europe: Albania, Austria, Bulgaria, France, Germany, Greece, England, Norway, Russia, Hungary, Turkey); 6 Asian; 8 African; 1 Latin America (Bolivia)
Other best practises

• In the last few years, the cooperation between law enforcements and other investigators increased. For example, the Italian Custom Agency stipulated some protocols to better coordinate its investigations with other law enforcements.

• The increasing cooperation with law enforcements is also involving some waste Consortia (in Italy they are established by law and are responsible for waste collection and recycling); see Polieco and Ecopneus.
A complex world
(A satellite view of the flow of goods by sea)
The dark side of globalization

• The increasing globalisation and the illimited free market are an obstacle for an effective control against illegal trafficking. In fact illegal traffickers easily hide themselves into the global trade network.

• Ecomafia itself is an international business and it works all over the world thanks to a complex system of routes.

• The differences between national legal frameworks and the difficulties in planning joint enforcement operations give a considerable advantage to criminal organizations.
International Waste Trafficking

• Since the Seventies, sending industrial and radioactive waste to the poorest areas of the world has always been a big business.

• A famous case is the one known as “The poisoned shipments”: the mysterious wreck of many cargos in the Mediterranean Sea between ’70 and ’90. It is one of the worst Italian secrets: in spite of many proofs and some informers’ admissions, we still don’t have any judiciary true.
East and West waste

- Italian companies pay about 60,000 € to legally dispose a container full of 15,000 tons of hazardous waste.
- The same amount of waste can be illegally disposed for 5,000 € in Eastern Europe or Asia (Source: Italian Finance Police).
New style: waste is considered as raw material.
A new industrial revolution

• Nowadays waste means raw materials. And there is a real fight to control both of them.
• Recent trends show that criminal organizations make a lot of money taking raw materials away from companies and legal recycling Consortia.
• A new criminal business is the “false recycling”.
Ecomafia vs Green Economy

• Ecomafia usually affects the most innovative industries, even in the green economy sectors.

• Paradoxically, good recycling policies encourage illegal waste trafficking.
Textile Waste
Plastic Waste
Ferrous Scraps
• Plastic waste and ferrous scraps are the most sought-after materials for professional traffickers, who smuggle waste thanks to forgery and counterfeited documents.

• In fact, in Italy many recycling companies have empty warehouse because of the illegal trafficking in waste.
We have to make a choice

- Fighting the illegal waste trafficking and at the same time protect and encourage recycling activities is the real challenge for the future. But it is also the best way to save the planet, protect the human health and the legal economy (above all the more innovative and green).
• We should decide how much we want to decrease commercial flows in order to enhance border controls.
• There are evidences that enhanced controls lead to an increase in seizures.
• Everywhere the border controls should be enhanced: that’s the only way to effectively tackle the illegal flows.
More border control, more crimes

After a *monitoring campaign* along the European border, made from 2008 to 2011 by the Impel (The European Union Network for the Implementation and Enforcement of Environmental Law), it came out that about 19% of inspections shed a light on a violation of the European laws about waste transboundary movements.
The triangulation

The system of triangulation between different countries allows waste containers to be trafficked across the borders as if they weren’t a waste but simple raw materials. A mechanism that darkens the real origin of the waste and complicate control activities: Germany-Italy-Netherlands-Hong Kong-China, for example, is one of the most used by traffickers.
Italian Customs Agency

• In 2012 the Italian Customs Agency seized 14,000 tons of hazardous waste illegally leaving the country (+100% compared to the previous year).
• In the last three years it seized more than 54,000 tons of waste on its way to foreign countries.
• Destinations: South East Asia (China and Hong Kong) and Africa.
RIFIUTI (kg/lt) - descrizione

Anno 2011

- Metalli: 48,4%
- Plastica: 37,8%
- Tessili (ritagli ed indumenti usati): 1,1%
- RAEE (rifiuti elettrici ed elettronici): 1,8%
- Veicoli, motori e loro parti: 6,9%
- Vetro: 0,0%
- Altri rifiuti: 0,0%
- Carta e cartone: 3,3%
- Cuoio e pelli: 0,6%
- Gomma e pneumatici: 0,3%
SEIZED IN 2012

- Gomma e pneumatici: 57,2%
- Metalli: 16,1%
- Plastica: 15,8%
- RAEE (rifiuti elettrici ed elettronici): 0,1%
- Tessili (ritagli ed indumenti usati): 1,4%
- Veicoli, motori e loro parti: 1,6%
- Vetro: 0,0%
- Carta e cartone: 5,9%
- Altri rifiuti: 1,8%
- Cuoio e pelli: 0,0%
- Rifiuti: Quantità sequestrate Anno 2012
### PRINCIPALI CASI DI RIFIUTI

**Anno 2012**

<table>
<thead>
<tr>
<th>N°</th>
<th>MERCE</th>
<th>QUANT. Kg</th>
<th>Ufficio</th>
<th>Orig</th>
<th>Prov</th>
<th>Dest</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Gomma e pneumatici</td>
<td>3.043.510</td>
<td>NOVARA</td>
<td>IT</td>
<td>IT</td>
<td>KR</td>
</tr>
<tr>
<td>2</td>
<td>Gomma e pneumatici</td>
<td>2.504.180</td>
<td>NOVARA</td>
<td>IT</td>
<td>IT</td>
<td>N</td>
</tr>
<tr>
<td>3</td>
<td>Gomma e pneumatici</td>
<td>1.709.210</td>
<td>NOVARA</td>
<td>IT</td>
<td>IT</td>
<td>TH</td>
</tr>
<tr>
<td>4</td>
<td>Metalli</td>
<td>985.890</td>
<td>VENEZIA</td>
<td>IT</td>
<td>IT</td>
<td>CN</td>
</tr>
<tr>
<td>5</td>
<td>Metalli</td>
<td>591.610</td>
<td>GENOVA</td>
<td>IT</td>
<td>IT</td>
<td>CN</td>
</tr>
<tr>
<td>6</td>
<td>Plastica</td>
<td>537.270</td>
<td>GENOVA (VOLTRI)</td>
<td>IT</td>
<td>IT</td>
<td>CN</td>
</tr>
<tr>
<td>7</td>
<td>Carta e cartone</td>
<td>518.520</td>
<td>VENEZIA</td>
<td>IT</td>
<td>IT</td>
<td>CN</td>
</tr>
<tr>
<td>8</td>
<td>Metalli</td>
<td>500.000</td>
<td>GENOVA (VOLTRI)</td>
<td>IT</td>
<td>IT</td>
<td>PK</td>
</tr>
<tr>
<td>9</td>
<td>Plastica</td>
<td>422.410</td>
<td>GENOVA (PASSO NUOVO)</td>
<td>IT</td>
<td>IT</td>
<td>CN</td>
</tr>
<tr>
<td>10</td>
<td>Gomma e pneumatici</td>
<td>394.300</td>
<td>SCIA TAURO</td>
<td>IT</td>
<td>IT</td>
<td>N</td>
</tr>
<tr>
<td>11</td>
<td>Gomma e pneumatici</td>
<td>261.420</td>
<td>SCIA TAURO</td>
<td>IT</td>
<td>IT</td>
<td>N</td>
</tr>
<tr>
<td>12</td>
<td>Carta e cartone</td>
<td>257.990</td>
<td>VENEZIA</td>
<td>IT</td>
<td>IT</td>
<td>CN</td>
</tr>
<tr>
<td>13</td>
<td>Plastica</td>
<td>167.280</td>
<td>CATANIA</td>
<td>IT</td>
<td>IT</td>
<td>CN</td>
</tr>
<tr>
<td>14</td>
<td>Plastica</td>
<td>140.120</td>
<td>RAYENNA</td>
<td>IT</td>
<td>IT</td>
<td>CN</td>
</tr>
<tr>
<td>15</td>
<td>Plastica</td>
<td>117.460</td>
<td>VENEZIA</td>
<td>IT</td>
<td>IT</td>
<td>CN</td>
</tr>
<tr>
<td>16</td>
<td>Metalli</td>
<td>109.450</td>
<td>GENOVA (PASSO NUOVO)</td>
<td>IT</td>
<td>IT</td>
<td>CN</td>
</tr>
<tr>
<td>17</td>
<td>Plastica</td>
<td>104.700</td>
<td>LA SPEZIA</td>
<td>IT</td>
<td>IT</td>
<td>CN</td>
</tr>
<tr>
<td>18</td>
<td>Atririfiuti</td>
<td>100.000</td>
<td>PALERMO</td>
<td>IT</td>
<td>IT</td>
<td>GH</td>
</tr>
<tr>
<td>19</td>
<td>Atririfiuti (pellets)</td>
<td>85.400</td>
<td>NAPOLI1</td>
<td>CN</td>
<td>CN</td>
<td>Taranto</td>
</tr>
<tr>
<td>20</td>
<td>Plastica</td>
<td>84.560</td>
<td>VENEZIA</td>
<td>IT</td>
<td>IT</td>
<td>CN</td>
</tr>
</tbody>
</table>

**Totale kg Anno 2012**: 12.637.280  
**Altri sequestr**: 1.412.997  
**Totale pezzi Anno 2012**: 14.850.277  
**Totale PEZI Anno 2012**: 1.862
Old tyres in Kuwait
One of the most used trafficking technique is to hide electronic waste behind a front row of pc monitors packed up and still functioning.
Eu directive 2008/99/ce

• It finally introduced the protection of the environment through criminal law in Europe, giving a common legal framework to all the EU countries.

• The Italian Parliament acknowledged the act on June 2010. A year later (July 2011) the Italian Government adopted the relevant law (Decreto n.145), so the Directive entered into force.

• The only news is the admistrative responsibility of the juridical persons; apart from this, concretely in Italy nothing has changed.
Cooperation is the only way

- It’s possible to settle effective controls and repression only through the cooperation between Customs, Police forces and Public Prosecutors of all countries.
- EU member states should share best practices, intelligence and know-how.
- It’s also necessary to strengthen the EU legal framework and the intelligence activity.
Rilo (Regional Intelligence Liaison Offices)

• “It is a regional centre for collecting, analysing and supplementing data as well as disseminating information on trends, modus operandi, routes and significant cases of fraud; The RILO mechanism is supported by the Customs Enforcement Network (CEN), a global data and information-gathering, analysis and communication system for intelligence purposes. The Rili network cover 6 region and 11 Liason office (in Germany it is in Cologne)”
The Italian Custom Agency takes part in the Rilo, but, according to the Italians, not many informations are shared. Each country should strengthen above all in the quality of information - this instrument against illegal waste trafficking.
Impel

• The European Union Network for the Implementation and Enforcement of Environmental Law: “the Network’s objective is to create the necessary impetus in the European Union to make progress on ensuring a more effective application of environmental legislation. The core of the IMPEL activities concerns awareness raising, capacity building, peer review, exchange of information and experiences on implementation, international enforcement collaboration as well as promoting and supporting the practicability and enforceability of European environmental legislation.”.
The International Network for Environmental Compliance and Enforcement (INECE) is a partnership of government and non-government enforcement and compliance practitioners from more than 150 countries.

INECE’s goals are: raising awareness to compliance and enforcement; developing networks for enforcement cooperation; and strengthening capacity to implement and enforce environmental requirements.
There are already some examples of international cooperation involved in ecocrimes. The qualitative leap is making these examples more effective.

Improve the knowledge is the most important thing to do. Moreover, to make international cooperation able to face environmental crime, it is absolutely necessary that each country invests time and resources in this fight, even if this could curb the global free trade.
Operation “Demeter I (2009), II (2012) and III (2014)”

• Demeter I was the first international operation directed by the World customs organization (Wco).
• It involved 64 Countries and seized 162 containers and over 32,400 tons of hazardous waste.
Demeter II: a good teamwork

Main points:

• Hazardous and other waste controlled by the Basel Convention.
• Maritime shipments.
• WCO Environmental Programme.
• Five weeks: 06 February to 11 March 2012.
• Operation Coordination Unit (OCU) and analysis: RILO for Western Europe.
<table>
<thead>
<tr>
<th>Country</th>
<th>Nb of seizures</th>
<th>Qty seized in kg</th>
<th>Qty seized in pieces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Argentina</td>
<td>5</td>
<td>527.651</td>
<td>1.250</td>
</tr>
<tr>
<td>Brazil</td>
<td>1</td>
<td>41.000</td>
<td></td>
</tr>
<tr>
<td>Bulgaria</td>
<td>2</td>
<td>37.800</td>
<td></td>
</tr>
<tr>
<td>France</td>
<td>15</td>
<td>164.378</td>
<td>3.279</td>
</tr>
<tr>
<td>Guinea</td>
<td>2</td>
<td>134.260</td>
<td></td>
</tr>
<tr>
<td>Hong Kong</td>
<td>1</td>
<td>22.562</td>
<td></td>
</tr>
<tr>
<td>India</td>
<td>1</td>
<td>263.000</td>
<td></td>
</tr>
<tr>
<td>Italy</td>
<td>10</td>
<td>671.060</td>
<td>295</td>
</tr>
<tr>
<td>Mexico</td>
<td>1</td>
<td>82</td>
<td></td>
</tr>
<tr>
<td>Mozambique</td>
<td>1</td>
<td>118</td>
<td></td>
</tr>
<tr>
<td>Netherlands</td>
<td>1</td>
<td>6.370</td>
<td></td>
</tr>
<tr>
<td>Poland</td>
<td>5</td>
<td>86.050</td>
<td></td>
</tr>
<tr>
<td>Portugal</td>
<td>1</td>
<td>47</td>
<td></td>
</tr>
<tr>
<td>Qatar</td>
<td>3</td>
<td>145.000</td>
<td></td>
</tr>
<tr>
<td>Saudi Arabia</td>
<td>3</td>
<td>640</td>
<td>340</td>
</tr>
<tr>
<td>Spain</td>
<td>3</td>
<td>175.075</td>
<td></td>
</tr>
<tr>
<td>Sweden</td>
<td>5</td>
<td>78.450</td>
<td></td>
</tr>
<tr>
<td>Switzerland</td>
<td>4</td>
<td>31.940</td>
<td>5</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>64</strong></td>
<td><strong>2,385.236</strong></td>
<td><strong>5,416</strong></td>
</tr>
</tbody>
</table>
Waste types seizures in percentages

- Used vehicle parts and tires: 41%
- Electronic/Electric wastes: 11%
- Various plastic wastes: 10%
- Mixed metal scraps: 10%
- Used refrigerators including CFC: 6%
- Various: 22%
## SEIZURES

<table>
<thead>
<tr>
<th>Origin of waste</th>
<th>Total</th>
<th>Destination of waste</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Africa</td>
<td>1</td>
<td>Africa</td>
<td>28</td>
</tr>
<tr>
<td>Asia</td>
<td>9</td>
<td>Asia</td>
<td>20</td>
</tr>
<tr>
<td>Europe</td>
<td>49</td>
<td>Central America</td>
<td>1</td>
</tr>
<tr>
<td>North America</td>
<td>2</td>
<td>Europe</td>
<td>2</td>
</tr>
<tr>
<td>South America</td>
<td>2</td>
<td>South America</td>
<td>6</td>
</tr>
<tr>
<td>Unknown</td>
<td>1</td>
<td>Unknown</td>
<td>7</td>
</tr>
</tbody>
</table>
WARNING MESSAGES ISSUED

- Ireland: 51%
- Denmark: 27%
- Netherlands: 6%
- France: 5%
- Macedonia: 5%
- Switzerland: 1%
- Belgium: 1%
- Mauritius: 1%
- Bulgaria: 3%
Supporting Bodies

- SBC *(Secretariat of the Basel Convention)*
- INTERPOL
- IMPEL *(The EU Network for Implementation and Enforcement of Environmental Law)*
- INECE *(International Network for Environmental Compliance and Enforcement)*
Bakara and Boarding pass inquires (January 2013)

• 23 persons were arrested.

• Two Somalian crimes organization (operating in a transnational way) were discovered and accused of illegal immigration, counterfeiting and internazional waste trafficking (above all iron scraps from Eu to African Countries).
Follow the waste’s smell

Inquires such this show how the illegal flow are used for trafficking everything in a global way: from waste to persons, from old vehicles to counterfeit products or drugs.

In this case, following the illegal waste route, the investigator discovered a bigger criminal system that had accumulated huge profits: more than 25 milion euros each years (Italian Police).
Other recent examples

• 29 settembre 2011: “Combined hope”: 25 tons of hazardous waste (scrap metals and plastics) come from New Zeland and direct to Subsaharian Africa were seized in Italy (in La Spezia harbour) by Italian Custom Agency; the waste load was illegal declared as a symple used cars

• 16 ottobre 2012: 21 tons of hazardous waste (scrap metals and vehicles parts) were seized to a Bari seaport: the waste load was direct to Bulgaria and come from Greece

• Gold Plastic, 7 dicembre 2011: 114 containers that transported more than 2.600 tons of hazardous waste were seized by italian police in the seaport of Taranto because illegal sent to South Est Asia, in particularly to China; 54 person were arrested and 21 companies were seized; the investigator estimate a illegal profict of 6 milion of euros per year
Thank you!