

---

## SUMMARY OF WORKSHOP: INTERNATIONAL TARGETING ON ENVIRONMENTAL CRIME/ACTIVITIES

Facilitators: Greg Linsin  
Roy Watkinson  
Rapporteur: Neil Emmott

### GOALS

To consider issues including:

- Measures to build national capacity to investigate domestic violations and crimes, as needed to fulfill national obligations under multilateral environmental agreements (MEAs).
- Interagency cooperation between environment and customs ministries to control imports and exports.
- International cooperation to address common problems including transborder pollution spillover from one nation to another.
- Damage to ecosystems shared by two or more nations.
- Illegal trafficking across national borders.

### 1 INTRODUCTION

Participants were asked to reflect on the different stages, states and mechanisms for working in this area. This was to provide a basis for comparison of what tools and systems are available from bodies such as UNEP, identification of gaps, and consideration of possible priorities for INECE

### 2 DISCUSSION SUMMARY

This workshop considered issues including: measures to build national capacity to investigate domestic violations and crimes, as needed to fulfill national obligations under MEAs; interagency cooperation between environment and customs ministries to control imports and exports and international cooperation to address common problems including transborder pollution spillover from one nation to another, damage to ecosystems shared by two or

more nations, and illegal trafficking across national borders.

The group noted that the following four issues affect the level of motivation for implementation of MEAs:

- The construction of the MEA in question. Some agreements are “rich”, for example in the sense that they may include a funding mechanism to help parties to comply. Others, however, are “poor”, e.g. the Basel Convention, with little provision for compliance assistance. In addition, some MEAs include a specific enforcement element, such as CITES, whereas others, such as Basel, do not.
- Shared international interest. In respect of some MEAs, the prevention and punishment of violations will be of interest to countries beyond the one where the violation is detected. For example, CITES violations will normally be of concern in the country of origin, which will be concerned about its loss of wildlife, plus the country of destination, which is con-

cerned to prevent illegal trade. In contrast, in the area of pollution from ships, there will clearly be concern on the part of the country affected by the pollution, but not necessarily from the flag state.

- The level of peoples' concern about the topic of the MEA. In this regard a measure such as CITES may have an advantage over the Basel Convention, as wildlife is a more public-friendly topic compared to hazardous waste shipments.
- Economic issues. There is generally a need to have a better understanding of the economics of non-compliance. The costing of illegal activity affecting the environment is still at a very early stage. If the topic were better understood, there may be a greater incentive to secure compliance and counter illegal activities, and also a greater ability to focus on priority areas. There is also concern that profit from illegal activity goes partly to support other criminal activities, such as drug trafficking and terrorism. So greater knowledge of and focus on this topic would inform enforcement activities and also persuade policy-makers of the need for more action.

Identification of illegal activities is often dependent on access to technology. For example, the USA has a forensic laboratory for analysis of samples associated with suspected incidences of illegal trade in products derived from wildlife. Similar resources do not exist in other countries, although access to the US facility is possible.

Training cannot be too theoretical if it is to be successful. Illustrations of real investigations, prosecutions, etc. should be built into training programs.

Positive examples of NGOs supporting MEAs were cited. For example, the Environmental Investigation Agency placed an advertisement for a fictional company requesting the supply of CFCs. This led to

a number of offers that, if taken up, would clearly have involved illegal trade.

Coordination and communication: Effective enforcement is usually reliant on a free-flowing exchange of information. The Secretariats of MEAs, and organizations such as UNEP, need to be clear whom they should be interacting with at the national levels. Increasing collaboration with INTERPOL is also required.

### 3 CONCLUSION

By and large, all of the tools and techniques for criminal enforcement already exist and are being employed in conventional criminal enforcement. The question is: what are the barriers to this being replicated in environmental crime? Is there just insufficient interest? Is, for example, global trade a greater priority. Or is it simply a question of resources that needs to be tackled?

Further to the above, what can INECE do in this area? The following possibilities were noted:

- Provide information and education on what enforcement tools are available and how they can be used.
- Develop materials for case studies and best practice studies.
- Facilitate resource sharing and training.
- Build networks.
- Contribute to greater knowledge on the scale of environmental crime and its economic implications.
- Look into the activities of multinationals that transgress around the world develop innovative ways of funding enforcement programs.