



Environmental Crime and its Convergence with other Serious Crimes

Environmental Security



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Cover photo: Charcoal and ivory uncovered as part of Operation Wildcat, an INTERPOL co-ordinated operation that took place across Southern and Eastern Africa in 2013.

1 INTRODUCTION

The capacity for INTERPOL Member Countries to effectively respond to environmental crime when it intersects with other serious¹ crimes is a common theme that arises when INTERPOL engages with its members. The nature of “crime convergence” (also referred to as “threat convergence”) raises a number of complexities and challenges in all phases of enforcement, from detection and disruption to the dismantling of criminal syndicates. In fact, it is one of the greatest challenges cited by officers from environment and policing agencies at regional and international investigative meetings and one that they all seek to understand and address. Key INTERPOL partners are also aware of the challenges associated with convergence, and are calling for greater understanding of crime convergence and law enforcement countermeasures.

To stimulate discussion on this topic, this report provides insight into the nature of crime convergence within the context of environmental crime, where it is becoming increasingly apparent and complex. An example is seen when poly-crime syndicates traffic in a range of illicit goods in addition to environmental products. The report also examines the types of significant crimes that Member Countries have brought to INTERPOL’s attention through their environmental crime investigations. The nature of crime convergence is subsequently discussed in terms of its challenges as well as the opportunities it presents to law enforcement. The report makes a number of suggestions on how agencies can better respond to convergence in transnational and national operations. In doing so, it promotes an integrated multi-disciplined and multi-agency law enforcement approach that is both strategic and operational in nature. The report concludes with a number of practical strategies for consideration by enforcement agencies.

2 INTERPOL’S OBSERVATIONS

2.1 Internal Review

In 2015, INTERPOL conducted an internal review of all operational activities undertaken in response to pollution, wildlife, forestry and fisheries crime. In conducting the review, it became apparent that a significant challenge facing the ability of law enforcement and environment authorities to stop environmental crime is the complexity associated with other crimes types that are also involved. This includes challenges arising from the fact that, in many cases, enforcement agencies are not always dealing with a breach of national or international laws specifically in relation to environmental crime. Authorities often find themselves dealing with criminals who have committed other offences such as those relating to murder, money laundering, tax evasion, corruption, piracy, forgery, corporate fraud, and the trafficking of drugs or firearms – but with the primary driver being the exploitation of the environment. The picture is further complicated when these cross-over offences occur transnationally, sometimes covering multiple jurisdictions and under different legal frameworks.

¹ The term “serious” is used broadly to refer to crimes of a significant nature and not necessarily those defined under any criminal law or international convention.

2.2 INTERPOL Questionnaire

In 2015, INTERPOL conducted a questionnaire study on the national and international environmental crime priorities for all 190 Member Countries. Responses from the 33 countries that completed the questionnaire indicated that almost all are observing links to other crimes, including:

- Terrorist activities
- Human trafficking
- Firearms trafficking
- Illegal immigration
- Drugs
- Counterfeit goods
- Emissions trading fraud
- Cyber crime
- Corruption
- Violence
- Extortion
- Financial crime
- Money laundering

Member Countries also identified particular criminal activities being undertaken in relation to specific environmental crimes, including:

- **Australia** - Illegal immigration associated with illegal fishing and people smuggling.
- **Canada** - Counterfeit goods facilitating the illegal trade in Ozone Depleting Substances.
- **Colombia** - Terrorists involved in the illegal dumping of oil into rivers.
- **France** - Weapons concealed in illegally exported waste.
- **Germany** - Counterfeiting associated with the illegal trade in pesticides.
- **Guatemala** - Issuing of fake licences linked to the trafficking of precious timber.
- **Hungary** - Corruption and counterfeiting associated with waste trafficking.
- **Sweden** - Fraudulent stickers indicating non-CVC (chlorofluorocarbon) on refrigerators are associated with pollution crime.
- **Switzerland** - Financial crimes linked to illegal transport and treatment of hazardous waste.
- **Togo** - Corruption supporting the illegal exploitation of forest resources.

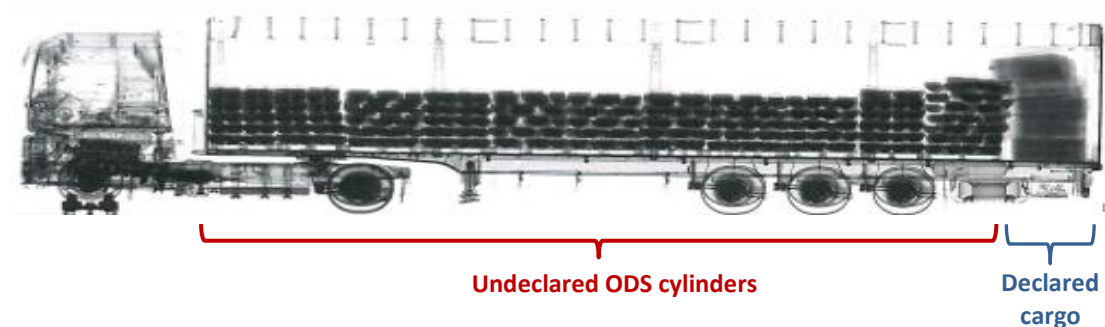


Figure 1. Customs x-ray of a truck involved in waste trafficking and transshipment fraud. The x-ray reveals the method of double layering to conceal cylinders containing Ozone Depleting Substances (ODS) behind declared cargo.

3 INTERPOL OPERATIONS

INTERPOL is observing significant variation in the number and types of crimes associated with environmental crime. Each commodity area also raises its own unique challenges and complexities in terms of crime convergence. Some examples include:

- **Illegal dumping of e-waste** – Criminal groups involved in the illegal disposal of electronic waste have also been found to be involved in theft, human trafficking, fraud, drugs and firearms trafficking, and money laundering. Furthermore, e-waste dumping in Europe has been associated with “waste tourists”, referring to individuals and organised groups travelling to the United Kingdom to arrange the export of waste to developing countries in order to make a profit.
- **Carbon trading exploitation** – Carbon markets are vulnerable to criminal exploitation due to the large amount of money invested, the immaturity of the regulations and lack of oversight and transparency. Crimes range from securities fraud and insider trading to embezzlement, money laundering and cyber-crime.



Figure 2. Concealment methods associated with pollution crime, including the use of fraudulent documents, false labels and paint.

- **Fisheries crime** – Transnational criminal syndicates involved in fisheries violate national laws and regulations, as well as international conventions. They engage in fraud to avoid detection, using fraudulent documents to change their names and national registration. Complex and illegal transshipment practices also occur, whereby two vessels meet and pass cargo between them, bringing illegally caught products into the market. Other criminal activities associated with illegal fisheries include corruption, human trafficking, drug trafficking and maritime piracy².



Figure 3. Transshipments from fishing vessels.

- **Forestry crime** – Criminals are known to exploit the permit and licensing system through a range of strategies, including forging or counterfeiting permits, hacking government websites to obtain or change electronic permits, and making false declarations of endangered tree species on customs reports. There are also examples of violence, where offenders have reacted aggressively to attempts by authorities to curb their activity. This occurred in 2013 in India, when two rangers were allegedly hacked to death by men smuggling red sanders.

In addition, there is increasing evidence of the connection between the illicit trade in timber and the trade in drugs – particularly in the high-forested regions of Latin America and South East Asia. Timber traffickers, who have built a huge logistical network for bribing officials and moving illegally harvested wood out of the country, are now working with drug traffickers to move drugs through the same trafficking routes. One strategy is to use the timber to conceal the drugs, including in hollowed out logs. In other cases, drugs are used as payment in exchange for high value timber species that have been illegally harvested.

- **Illegal tiger trade** – The trading of tigers and their parts in Asia is facilitated by corruption and, in some areas, is linked to other serious crime types. This includes violent crimes such as kidnapping, illegal firearms trading and robbery, extortion and murder, cyber-crime in the form of online sale of tiger parts and tiger products, and money laundering.



Figure 4. Successful seizure of Asian big cat skins and large sums of cash by the Nepal Police.

² INTERPOL (2014). Study on Fisheries Crime in the West Africa Coastal Region. Available at <http://www.interpol.int/Crime-areas/Environmental-crime/Resources>.

- **Ivory trafficking** – The trafficking of elephant ivory is often linked to fraud, tax evasion and money laundering, which act as key enablers. Seizures of ivory have also uncovered links to militia groups and arms smuggling (figure 5). In the Democratic Republic of Congo, there are allegations that the militia group known as the Union pour la rehabilitation de la démocratie du Congo (URDC) is involved in trading ivory for weapons and supplies. Like other militias in the region, the URDC primarily finances itself by exploiting and trading natural resources such as gold and ivory with businesspeople in the region.³



Figure 5. Photos taken during Operation Wendi by the Congolese authorities in 2013. The photo on the left shows two PMAK arms that were seized at the same time as four magazines, 1 axe, 1 saw, and 13 pieces of elephant meat and one ivory tusk.

There are also connections between ivory smuggling and illegal logging across Southern and Eastern Africa. In 2013, INTERPOL Operation Wildcat identified major smuggling networks in East Africa involved in trafficking elephant ivory and illegal shipments of timber and charcoal. Smugglers were found to be concealing ivory inside charcoal containers or inside welded chambers of trucks used to transport logs across borders (figure 6). The operation resulted in the seizure of 240kg of elephant ivory, 856 timber logs, 637 firearms, illicit drugs, 44 vehicles and the arrest of 660 people.



Figure 6. Charcoal uncovered during Operation Wildcat in 2013.

³ UNSC Report (2013). S/2013/433. Available at http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2013/433

4 THE NATURE OF CONVERGENCE

Environmental offences have typically been treated in isolation from other types of serious crime. In many countries, this is reflected in the separation of agencies responsible for the protection and conservation of the environment from policing agencies, with it often falling solely within the purview of the former to deal with environmental crime issues. Conversely, crimes involving corruption, finance and fraud have typically been addressed by policing and anti-corruption agencies, and terrorism by police and national security agencies. It is apparent, however, that the separation of enforcement responses to environmental crime and conventional crime need to adapt to today's more sophisticated and transnational operating environment.

Today, organised crime groups transcend conventional categories of crime, influenced by the globalisation of trade and travel, as well as advancements in technology and information sharing. In the context of environmental crime, criminals operate beyond the streams of illegal harvesting, poaching and trafficking. They exploit other opportunities in pursuit of their objective, whether it be financial or otherwise, and in doing so draw on other crime types such as corruption, fraud and money laundering to facilitate their primary activity. Whilst these are often regarded as enabling crimes, they may be serious crimes in themselves. Criminals also exploit the established trade routes and modus operandi used to traffic environmental products such as wildlife to smuggle other illicit products. Consequently, drugs and firearms are also uncovered as part of environmental crime operations.

The challenges of crime convergence are apparent at the front-line. Across the globe, there are officers involved in enforcement operations whose safety and security is compromised by the threat of violence. Whilst criminals have always been closely associated with threatening behavior, in some countries they are now conspicuously more aggressive and more prepared to take greater risks – to the extent that they will engage in gunfights with officers. Criminals are also better equipped to identify and attack officers, with access to satellite telephones, radio scanners, night vision equipment, rocket propelled grenades and sophisticated firearms. As a case in point, the stone monument outside of Kenya Wildlife Service headquarters in Nairobi lists more than 60 park rangers that have been killed since 1976 by poachers involved in the illegal rhino horn or elephant ivory trafficking trade (figure 7).

Environmental crime is also associated with corruption involving government officials. While forms of corruption vary, its nexus with environmental crime often stems from officials willingly exploiting their position of power to facilitate the illegal harvesting or trafficking of goods. They may, for example, issue illegal logging permits in return for large monetary rewards.

Corruption can occur at all levels of government. In 2015, the former wildlife director and head of the CITES Management Authority of Guinea was arrested in relation to an allegation of corruption and fraud relating to the issuance of CITES export permits. This case highlights the pervasive nature of corruption among officials and how this adds another dimension and potentially inhibiting factor to detecting and disrupting criminals involved in environmental crime.



Figure 7. Conservation Heroes Monument in Kenya, with the inscription: "These great heroes died in combat with armed bandits, preventing wildlife crimes, on rescue missions and protecting property from damage by wildlife."

The threat of a corrupt official's exposure can also have violent repercussions for environment and law enforcement officers. Often compounded by limited training, poor equipment, a lack of resource and support, violence is a real and significant threat for many front-line officers around the world. It is also one that contributes to the complexity of their ability to respond quickly and effectively to what is occurring on the ground.

Case Study: The Illegal Charcoal Trade in Somalia

The following case study demonstrates the inter-dependency of various crime types involved in the illegal charcoal trade in Somalia. It demonstrates links to terrorist financing, fraud and money laundering. It also reveals corruption of government officials by organised groups, including militia and terrorists groups, as well as exploitation of the local community. The case study highlights the complexities and dangers that law enforcement officers face in attempting to disrupt and dismantle criminal networks involved in the illicit charcoal trade stemming from the Horn of Africa. Information in the case study is predominantly based on INTERPOL holdings and the 2014 United Nations Security Council (UNSC) Report of the Monitoring Group on Somalia and Eritrea⁴.

Background

The illegal charcoal trade is big business in Africa. It is a vast unregulated trade, involving illegal logging, mass deforestation, organised traders and transnational shipments. The net profits from dealing in and taxing unregulated, illicit or illegal charcoal for East, Central and West Africa combined is around US\$2.4 to US\$9 billion⁵. The illegal trade undermines local and national economies, threatens security and deters sustainable development. The impact on the environment has been extreme, involving the logging of millions of trees and mass deforestation.

Charcoal production

Charcoal is made by burning wood in an enclosed area at high temperatures. Locals are hired in groups, generally comprising 10 to 20 men, by the charcoal traders. The traders provide them with supplies such as tools, medicine, money and food rations. The men are hired to cut down acacia trees, some of which are allegedly over 500 years old. The timber is then partially burnt for up to ten days in kilns dug into the earth, before being cooled for several more days. Once produced, the charcoal is bagged and loaded onto trucks for transport to storage areas at or near the export points. The workers are then paid, minus the cost of their expenses incurred during production. As the payments are insufficient to sustain themselves and their families, they return to their jobs, ultimately becoming embroiled in the production and trade of illegal charcoal.



Figure 8. Illegal charcoal apprehended with the suspects in Eastern Africa.

⁴ UNSC Report (2014). S/2014/726. Available at http://www.un.org/ga/search/view_doc.asp?symbol=S/2014/726

⁵ UNEP & INTERPOL (2012). Environment Crime Crisis Report. Available at <http://www.unep.org/unea/docs/RRACrimecrisis.pdf>

Somalia

The illegal charcoal trade is particularly rife in Somalia. Demand is driven by a number of Gulf states, due to their strict laws on preventing local deforestation. Somalia is also vulnerable to the trade, with an eroded central governance structure, weak rule of law and economic instability.

In 2012, the UNSC responded to the situation by imposing a ban (through the adoption of Resolution 2036) on the direct or indirect import of charcoal from Somalia to reduce “terrorist funding” and to prevent an “environmental crime” – irrespective of whether or not such charcoal originated in Somalia⁶. The ban, however, has been difficult to enforce and the revenue generated has in fact increased since being implemented. According to the UNSC, the overall size of the illicit charcoal export from Somalia has been estimated at USD360 to 384 million per year⁷.



Figure 9. Forest destruction associated with charcoal production.

Links with militias, terrorists and fraud

In Somalia, the two principal ports for charcoal export to the Middle East are Kismayo and Baraawe. On the way to these ports, charcoal trucks pass through checkpoints which are largely controlled by Al-Shabaab. Those transporting the charcoal must pay taxes at these checkpoints, as well as roadblock fees and taxes on using clan lands. When they reach the ports, Somali businessmen connect local militias with the merchant’s responsible for shipping the charcoal across international waters⁸. The transfer of Somali charcoal facilitated by the falsification of shipping documents, which alter the country of origin from Somalia to other locations. According to the UNSC, the entire supply chain involves a system of traders, transporters, brokers, wholesalers and individuals who collude and collaborate to facilitate the illegal trade.

Links with terrorist financing, illicit taxing and money laundering

Charcoal exports from Somalia are a significant source of revenue for the terrorist group Al-Shabaab. According to the United Nations, Al-Shabaab generates millions of dollars of revenues each month through a coordinated trading system based on charcoal exports. From June 2013 to May 2014, Al-Shabaab was estimated to have earned at least USD7.5 million and up to USD15 million from the “taxes” imposed at transportation checkpoints⁹. This estimate excludes the revenue generated from the profits made from charcoal exported from Kismayo’s port, where Al-Shabaab is a major shareholder of the profits generated by charcoal exports. Al-Shabaab also has exclusive control over the Baraawe port where the illegal trade is also strong.

⁶ UNSC United Nations Security Council (2012). *Resolution 2036*. Available at [http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/2036\(2012\)](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/2036(2012))

⁷ UNSC Report No S/2013/413. Available at http://www.un.org/ga/search/view_doc.asp?symbol=S/2013/413

⁸ Baxter, Z. (2007, May). ICE Case Studies, 201.

⁹ UNSC Report No. S/2014/726. Available at http://www.un.org/ga/search/view_doc.asp?symbol=S/2014/726

5 OPPORTUNITIES FOR LAW ENFORCEMENT

Whilst adding to the complexity of environmental crime, the convergence with other crime types presents investigative opportunities for law enforcement. When linked to other crime types, criminals may be committing offences that fall under the purview of both environmental authorities and policing agencies, particularly in countries where the traditional lines of separation remain. The commission of multiple offences, however, can provide a valuable opportunity for both authorities to work together and draw on their combined resources, areas of expertise, skills and powers under their respective legislation. The benefit to both authorities can be considerable. For the environment authority, it can result in increased resources and capacity, increased operational safety, greater access to technical services and additional powers of search, seizure and arrest. For policing agencies, it may lead to increased opportunities to identify criminal behaviour, utilise environment related powers and obtain intelligence on criminal activities of which they were unaware. Such collaboration is mutually beneficial in promoting the rule of law and effective deterrence and needs to be promoted and fostered by both environment and policing agencies and demonstrated at all levels, from executive management to front-line officers.

In some countries, activities perceived as a crime against the environment may, under national legislation, only be considered as a regulatory offence and therefore only contain financial, administrative or civil law penalties (e.g. fines for licensing breaches). However, effective and thorough investigation of multiple offences may enhance prosecution prospects, as the offender's actions may be viewed by authorities and the courts as being of greater criminal significance. Furthermore, prosecution of multiple offences may increase the prospects of substantial penalties being imposed, particularly in cases where conventional crime types carry prison sentences upon conviction – a penalty provision which is often lacking under environment statutes.

6 A MULTI-DISCIPLINARY, MULTI-AGENCY RESPONSE

INTERPOL recognises that traditional lines of separation are no longer appropriate for dealing with the increasing complexities of environmental crime and its convergence with other crimes. Together, the enforcement community needs to strategically reposition itself in order to develop more effective and appropriate responses. Approaches need to be commensurate with the complexity, diversity, scale and threat being faced. Moreover, they need to draw on the relevant areas of expertise associated with the crime types involved, resulting in an integrated, multi-disciplinary and multi-agency approach.



6.1 Working Together

As the world's largest policing organisation with a diverse range of law enforcement portfolios, INTERPOL is well-positioned to lead and support Member Countries and governments in adopting an integrated law enforcement response to complex environmental crime investigations. This includes integrating strategies and activities addressing crime convergence in all aspects of its work, such as National Environmental Security Taskforces (NESTs), Regional Environmental Security Taskforces (RESTs), Regional Investigative Analytical and Case Meetings (RIACMs), and multi-agency operational planning, support and training activities. INTERPOL is also strategically positioned to engage with international partners and non-government organisations to raise awareness and support for Member Countries to better respond to environmental crime and its nexus with other crime types. These include, but are not limited to, the United Nations Environment Programme, the United Nations Office on Drugs and Crime, the Food and Agriculture Organization of the United Nations, World Customs Organization, and the World Bank Organization.

As policing agencies have historically viewed environmental crime as the sole purview of environmental agencies, opportunities exist to raise law enforcement awareness of strategies to dismantle poly-crime syndicates, including through increased enforcement collaboration with environment agencies and other organisations who hold intelligence on such networks. INTERPOL's National Central Bureaus (NCBs) play an important role here, particularly in terms of facilitating collaboration with the appropriating agencies and raising awareness within their respective policing agency of the issue of environment crime and its convergence with other crime types. Furthermore, NCBs can assist in identifying other areas of expertise and tools to support environmental crime investigations and enhance environmental security. NCBs are also best placed to assist in identifying regional experts, including experts from government and non-government agencies, specialised crime and investigation units, and research entities.

6.2 Other Strategies

Additional strategies to counter crime convergence are:

- **Training in "follow-the-money" investigation techniques** to support countries in their ability to identify financial flows associated with environmental crime activity, and ultimately freeze and confiscate the proceeds of crime.
- **Engaging with anti-money laundering networks** to develop guidance and red-flag indicators to enable banks to detect and report money laundering linked to environmental crime.
- **Include anti-corruption authorities** in the early stage of operational planning and throughout the enforcement operation and investigation.
- **Incorporating multiple crime types into risk assessments** to improve case prioritization and enforcement responses.
- Considering the issue of crime convergence in **intelligence analysis and strategic reporting**.
- **Developing intelligence sharing agreements** between environment authorities and policing agencies.
- **Utilising the expertise of subject-matter experts** to assist in complex environmental crime investigations, as well as extending invitations to present at training courses and meetings.
- **Encourage and support multi-agency participation** in the planning and execution of enforcement operations and investigations.



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