



Interpol Pollution Crimes Working Group

Assessing the Links between Organised Crime and Pollution Crimes

June 2006

Executive Summary

The Interpol Pollution Crimes Working Group is undertaking a phased project to identify and demonstrate whether there are linkages between pollution crimes and organised crime. The output will be an evidence base, available to Interpol and others, that can be used to improve capacity in enforcement and in turn effectiveness in tackling the growing presence of organised criminals in the area of environmental crime.

There is growing research evidence from the UN and others that organised crime has evolved significantly in recent years. A past (and perhaps continuing perception by some) is that organised crime is masterminded by a “Mr Big”, who if you remove will solve the problem. What we now better understand is that this is now rarely the case. Organised crime often involves small groups who come together on a “project” basis to commit certain criminal activity, and when put under pressure will disperse only to join with other groups to form other “projects” of criminality.

This makes the detection and tackling these crimes and offenders much more difficult and consequently needs law enforcement to respond with new approaches, skills and tactics to successfully disrupt and defeat these groups. Over a number of years there have been persistent anecdotes of organised gangs / groups involved in pollution crimes. This project sets out to assess whether there is such a link in practice.

The first phase of the project was to undertake a survey, by questionnaire, across participating countries to develop a qualitative picture of the links between organised crime and pollution crime. It is intended that the case studies and evidence base from Phase 1 of the project will be used to design a more detailed survey across a greater number of countries to understand quantitative linkages in Phase 2 of the project. This report presents the findings of Phase 1 of the project.

The countries participating in the research were the UK, USA, Canada, Sweden and the Netherlands. In addition further written sources of cases studies were found that allowed a larger evidence base to be compiled.

It was agreed by the project Group that information would be collated on closed case study examples, in line with an agreed working description of organised crime. It was agreed that the definition of organised crime according to the 2001 UN Convention against Transnational Organised Crime would be used as a working description for the purposes of this project:

“organised criminal group” is “a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain directly or indirectly a financial or other material benefit”.

The project group debated and discussed as the project progressed the appropriate working description of organised crime to use for the study. Whilst initially a slightly different description was used when a request for case studies was issued, the group finally settled on the UN definition in order to ensure consistency with international work on this subject. We are satisfied that the case studies provided are consistent with this definition.

The collation of case studies was focussed on three sectors:

- Import and export of waste - eight case studies were provided on this type of crime, from Sweden, Canada, Italy, USA, Mexico, Japan and Germany.
- Disposal of hazardous waste - Twenty case studies relating to crimes associated with disposal of hazardous waste were collated from the USA, the UK and Italy.
- Movement of ozone depleting substances - Seven case studies were collated from Sweden, the USA and Canada.

One case study does not relate to one of the three selected sectors but has been included to demonstrate a link between environmental hazards and terrorism

It is concluded that an initial evidence base to link pollution crimes with organised crime has been established. 36 case studies have been collated providing examples of illegal import/export of waste, illegal hazardous waste disposal and illegal movement of ozone depleting substances.

The examples originate from a range of countries and provide information on the type, toxicity and quantities of wastes involved the outcomes of prosecution, and the links between cases, with organised crime and with non environmental offences. The 36 case studies were collated from just five countries participating in the study, plus one documented source, with the majority of incidents occurring over a ten year period from 1995 to 2005. The survey was also limited to closed cases. Therefore the case studies reported here are likely to represent a small sample of a much larger catalogue of pollution crimes.

For the majority of case studies the links to organised crime are self evident owing to the number of individuals and organisations involved in the offence, the period of criminal activity, and the nature of criminal activity (smuggling, fraud, money laundering, tax evasion, falsification of records etc). For some of the examples collated, the links to other crimes and to organised crime are not as defined, and this is an area where further research would be beneficial.

Some of the case studies provide evidence of the link between terrorism and pollution crimes. For example, 15 case studies of illegal waste disposal associated with diesel laundering were collated from the UK, and it is noted that red diesel laundering is often linked to terrorist groups in Northern Ireland. Terrorism relies on some element of organised criminal activity, for example to generate funding, and further research is required on the links between pollution crime and terrorism.

The case studies provide examples of the profitability of illegal activity (e.g. an organised process to export and 'launder' hazardous wastes through companies in the USA and return the waste to Canada for disposal made a total estimated profit of \$2.48 million (CAD) over an 8 month period), and the outcomes of prosecution (e.g. the sentence for the smuggling of ozone depleted gases was 78 months in prison, costs of \$1.8 million and fines of \$12500).

Information is also provided on the pervasiveness of the criminal activity, in terms of the periods over which the crimes are occurring and the numbers of individuals or organisations involved. For example, illegal asbestos removal in the USA occurred over a ten year period

with the illegal action affecting over 1500 facilities and 500 workers throughout the State of New York.

Information (some unsubstantiated or anecdotal) is also provided on the wider environmental and health impacts of these crimes, with examples including:

- In Canada, hazardous wastes would be combined together to make a highly flammable and toxic mixture, then sold as a fuel for boilers in schools, greenhouses, furnaces and kilns.
- It is alleged that radioactive waste from Italy dumped in Somalia may have affected the health of Italian soldiers based there with a UN force in the mid-1990s, and other alleged health effects include the increase in cancer rates in Somalia linked to the toxicity of wastes dumped in the country.
- Waste is illegally disposed of in Italy through mixing it with cement used in building homes, with asphalt for paving streets, and with fertilizer which is subsequently applied to land used for dairy cattle.
- Dust contaminated with cadmium and lead is mixed with fertilizer and exported from the USA to Australia and Bangladesh, with associated serious health risks.

The project group recommends that the next steps in this research would be:

- to analyse the data base of information collated to identify potential patterns and trends of criminal activity,
- to expand the survey to collate more case studies and increase the data base of information as a basis for this analysis,
- to seek quantitative information as part of the survey for both existing and new case studies sought.

The Project Group has identified that this analysis should focus on quantifying the links between pollution crime and organised crime, as well as identifying the profitability of crimes and the pervasiveness of criminal activity, in terms of the period over which it occurs and the number of individuals or parties involved and affected.

Furthermore, the Project Group has discussed the possibility of focussing the second phase of research on particular industries, or types of waste, and would welcome the views of the Interpol Pollution Crimes Working group on these issues.