



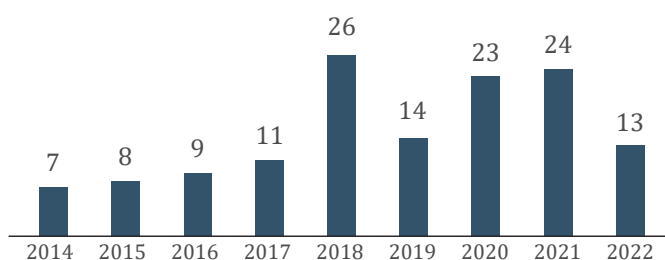
EU Agency for Criminal Justice Cooperation

# Supporting judicial authorities in the fight against ENVIRONMENTAL CRIME

## The growing challenge

**E**nvironmental crime is expanding rapidly, endangering not only habitats and wildlife populations but entire ecosystems, while also posing a serious threat to human health.

It is one of the most profitable forms of illegal trade in the world. Often international by nature, environmental crime is carried out in connection with other criminal activities.



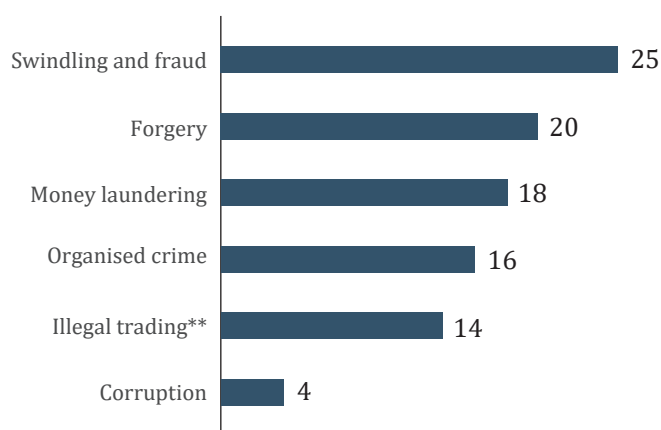
Number of environmental crime cases at Eurojust

Since 2016, environmental crime has been the fourth-largest criminal activity globally, growing at a rate of between 5% and 7% per year\*. With only 7 cases registered at the Agency in 2014, the **number of new environmental crime cases referred to Eurojust has tripled** in the last two years, with 13 currently underway only half-way through 2022.

## A high number of cases not considered as environmental crime

Despite this, the **number of investigations at national and European level remains low overall**, when compared to investigations into other crime areas. This is because environmental crimes are frequently considered secondary to crimes such as fraud and money laundering, and are therefore rarely prioritised by national authorities.

**Out of the 135 registered environmental crime cases the Agency has addressed over the last eight years, almost 50% of them additionally dealt with at least one other crime type.** During 2014-2018, swindling and fraud, document forgery and money laundering were the top three crimes associated with environmental crime cases referred to Eurojust.



Associated crime types in environmental crime cases 2014-2022 (top 6)

**The Agency routinely deals with various cases not directly registered as environmental cases which nevertheless have a major impact on the environment.**

In June 2022 for instance, Eurojust coordinated judicial cooperation in an operation against the use of illegal emission devices in South Korean cars, at the request of the authorities in Germany and Luxembourg. Similarly, the Agency has over the years coordinated tens of major international cases to tackle the production and trade of chemical drugs, which have led to the dismantling of illegal laboratories responsible for dumping toxic waste in border areas. Although not considered as environmental cases, the successful results of these cases have directly benefitted the environment.

\* [The Rise of Environmental Crime \(2016\)](#), Interpol and United Nations Environment Programme

\*\* Illicit trafficking in arms, ammunition and explosives, administrative documents, cultural goods, hormonal substances and other types of illegal trading



### The complexity of environmental crime cases

A series of challenges make tackling this specific crime type particularly difficult. **Inspection, law enforcement and judicial authorities often lack the capacity and resources to effectively detect, investigate and prosecute environmental crimes which are often complex and cross-border.** Moreover, they are often **multidisciplinary** in nature, as they require law enforcement and judicial authorities to cooperate with diverse specialised national administrative authorities (e.g. customs, environmental, veterinary, fisheries, public health and food safety authorities).

The existence of **different investigative and legislative approaches** to dealing with environmental crime across countries also poses legal and operational challenges.

**Eurojust, the EU Agency for Criminal Justice Cooperation, is fully equipped to deal with these challenges,** and has been a reliable partner in assisting judicial authorities from all Member States to tackle a wide range of environmental crime cases since the Agency was established 20 years ago.

### Environmental crime cases use Eurojust services the most

The Agency has sound experience in facilitating coordination meetings, coordination centres, and joint

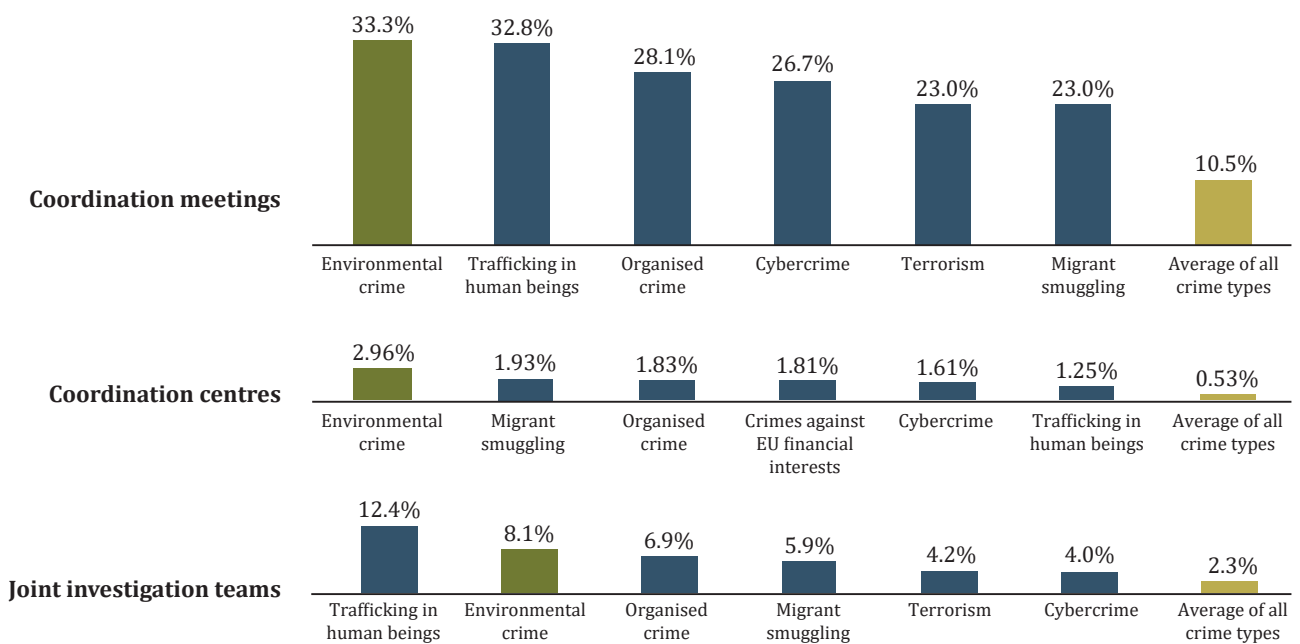
investigation teams in the environmental crime area and beyond.

Compared to all crime areas addressed by the Agency, the **highest percentage of coordination meetings and coordination centres facilitated by Eurojust during the last eight years have been dedicated to environmental crime cases.**

The number of **new joint investigation teams supported by Eurojust during 2014-2022 in the environmental crime area is also comparatively very high,** demonstrating national authorities' need and reliance on Eurojust's assistance in combatting this complex international crime.

Considering the involvement of trafficking routes across the EU and beyond, the high level of illegal profits, the low risk of detection and the involvement of organised and other crimes, joint investigation teams are a particularly efficient tool in the environmental crime area.

**Eurojust's crucial role in fighting environmental crime is illustrated by the extensive use of all its judicial tools** for past and current environmental crime cases. This trend is likely to continue, as cracking down on environmental crime is further prioritised by the European Union, and **national authorities increasingly turn to Eurojust for support.**



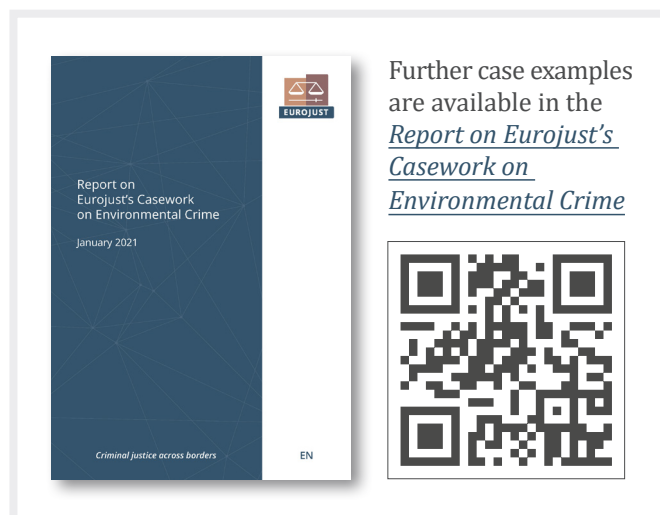
Percentage of cases per crime type using Eurojust services in 2014-2022 (top 6 + average)

## Justice done: Examples of environmental crime cases at Eurojust

To date, Eurojust has supported over 160 environmental crime cases involving all EU Member States, as well as ten third countries.

**CASE 1:** Eurojust helped ensure justice in a high-profile **egg contamination case**, which started with the establishment of a joint investigation team between the Belgian and Dutch authorities in August 2017, and ended in June 2021 with five suspects sentenced to prison, and the implicated individuals and companies ordered to pay fines and pay back their unlawfully obtained gains.

**CASE 2:** In another case between 2018 and 2021, more than 18 000 tonnes of metal waste was illegally sold and processed in regularly operating foundries, leading to health risks and disturbed market competition for legally operating businesses. In March 2021, Eurojust coordinated an action day resulting in the arrest of 15 suspects in Italy and Slovakia for the illegal **trafficking of metal waste, money laundering and the issuance of fake invoices and documents**. Thanks to Eurojust's assistance with the execution of European Investigation Orders and the arrest of suspects, a stop was put to years of environmental crime and EUR 130 million worth of waste metal fraud.



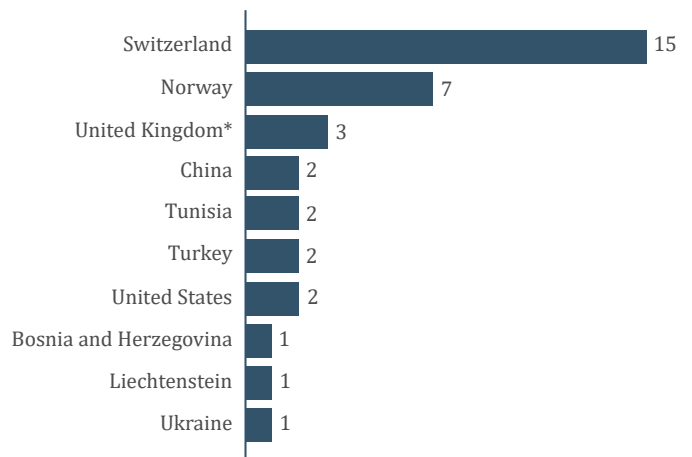
Further case examples are available in the [Report on Eurojust's Casework on Environmental Crime](#)



## Cooperating with third countries and external partners

In the area of environmental crime, **cooperation with third countries is paramount for successful**

**prosecutions**. Thanks to Eurojust's ten Liaison Prosecutors stationed at the Agency and contact points in more than 60 third countries, national authorities can benefit from this extensive global network when prosecuting environmental crimes.



\* UK data for 2020-2022 only

### *Requested third countries in environmental crime cases registered in 2014-2022*

During 2014-2022, **Eurojust cooperated with ten third countries in 29 major environmental crime cases**.

Eurojust also works jointly with **specialised regional networks**, including the JAGUAR Network comprising police officers specialised in environmental crime from a number of countries in Latin America and the EU. Furthermore, the EuroMed Justice Programme, hosted by Eurojust, is currently exploring the development of a network of magistrates specialised in environmental law on both sides of the Mediterranean Sea.

The Agency has a long experience of **closely cooperating with relevant external partners** when assisting national authorities in the investigation and prosecution of environmental crimes. Major European partners include Europol and the European Network of Prosecutors for the Environment.

## Eurojust's tools and assistance to national authorities

With its expertise and unique tools at its disposal, the Agency ensures that Europe tackles environmental crime head-on. It does this by offering national authorities



a **wide range of support in the use of judicial cooperation instruments and tools**, including:

- ▶ Organisation of [coordination meetings](#) involving national authorities to exchange information and coordinate linked proceedings, including simultaneous interpretation into the national languages of all participating authorities;
- ▶ Organisation of [coordination centres](#) to ensure the simultaneous execution of investigative measures in multiple jurisdictions and the real-time exchange of information and evidence;
- ▶ Support to [joint investigation teams](#) at all stages of the JIT life cycle (reaching an agreement to establish a JIT, drafting the agreement, providing funding and evaluating the results);
- ▶ Legal advice and practical facilitation in applying international judicial cooperation instruments and tools (such as Mutual Legal Assistance, European Investigation Orders etc.);
- ▶ Identifying cross-border investigative links in parallel or linked criminal proceedings via Eurojust's National Desks and Liaison Prosecutors;
- ▶ Formal written legal opinions to suggest ways to settle *ne bis in idem* and conflict of jurisdiction matters;
- ▶ Information on national criminal law provisions;
- ▶ Facilitating communication between the national judicial, law enforcement and administrative authorities to ensure information exchange and coordination.

## Eurojust's unique expertise on cross-border environmental crime

The Agency is uniquely placed to improve the effectiveness of international judicial cooperation on environmental crime cases. Eurojust contributes significantly to cracking down on environmental crime by providing **judicial support to cross-border operational activities and targeted training and capacity building for judicial practitioners**.

**Due to its expertise in the cross-border environmental crime field, the Agency often participates to specialised conferences and symposiums, and regularly ensures its input feeds into EU law and policy making.** Eurojust has provided expert input to the revision of the [EU Environmental Crime Directive](#) and [EU Action Plan against Wildlife Trafficking](#), and contributes to EMPACT Operational Action Plans on the EU Crime Priority Environmental Crime. Based on its experience in facilitating cross-border cooperation in environmental crime investigations and prosecutions, the Agency actively participates in the [Environmental Compliance and Governance Forum](#), established by the European Commission. Eurojust has provided input to the [Guidance Document on Combatting environmental crime and related infringements](#), produced under the Commission's Action Plan on Environmental Compliance and Governance.

### Summary: Fighting Environmental Crime at Eurojust

- ✓ Eurojust has longstanding solid expertise in the area of environmental crime. It has a series of tools and services in place to work in close collaboration with all Member States.
- ✓ The **number of cross-border environmental cases is rising**, with Member States increasingly making more case referrals to Eurojust.
- ✓ Environmental crime is **often linked with other crimes** and is not prioritised.
- ✓ Cases are **complex and international, and require multidisciplinary support** as well as the **full range of instruments at Eurojust's disposal**.
- ✓ Eurojust has an **established strong cooperation with third countries**, who are key to successful prosecutions in the environmental crime area.

