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United Nations
Interregional Crime and Justice
Research Institute



Combating transnational trafficking of waste: the case of Italy

Expert Group 3:

Illicit trafficking of waste: an international emergency

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Mandate of UNICRI:

UNICRI is a United Nations entity created in 1968 and mandated to assist

- intergovernmental,
- governmental and
- non-governmental organizations

in formulating and implementing improved policies in the field of crime prevention and criminal justice.



UNICRI goals and activities

UNICRI goals are:

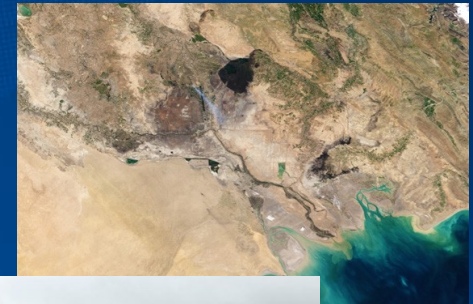
- to advance understanding of crime-related problems
- to foster just and efficient criminal justice systems
- to support the respect of international instruments and other standards
- to facilitate international law enforcement cooperation and judicial assistance.

UNICRI activities tackle major concerns in the field of crime prevention and criminal justice:

- organized crime and illicit trafficking
- environmental crimes
- corruption
- cyber-crime
- security governance and counter-terrorism
- violence against women and protection of victims
- juvenile justice.

Why Environmental Crimes?

- Emerging form of transnational organized crime
- Led by high profits, low risk of detection, prosecution and conviction rates
- Danger to human health and environment
- Threat to security, social and economic development, posed by organized crime to infringement of right to health and life, to freely utilize their own natural resources
- Erosion of state authority: corruption, tax evasion, lawlessness



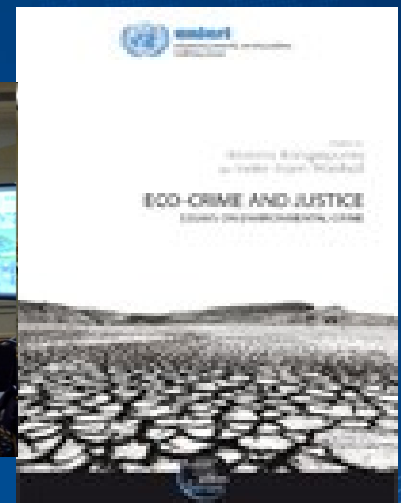
UNICRI Eco-Crime Programme

What has been done?

Since 1991 UNICRI is analyzing crimes against the environment



Freedom from fear
Planning the Environment?
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Publications

- *“Environmental crime, sanctioning strategies and sustainable development”* (1993)
- *“Environmental protection at national and international levels: potentials and limits of criminal justice”* (1995)
- *“Criminal law and its administration in International environmental conventions”* (1998)
- *“Criminal organizations and crimes against the environment”* (2000), which is still one of the most worldwide quoted researches on the issue.
- *“Eco-crime and Justice”* (2010) which covers specifically the judicial aspects of environmental crime prosecution.
- UNICRI Magazine *Freedom from Fear*

UNICRI Eco-Crime Programme

Illicit Trafficking and Dumping of Hazardous and E-Waste

I. RESEARCH

- ✓ Data collection and mapping of illicit trafficking cases (2005-2011)
- ✓ Analysis of international legislation and relevant application –gaps and loopholes
- ✓ Identification of risk factors linked to organized crime

Field	Type	Function	Mail	Value
id	int(1)			0
name	varchar(50)			Phobo Koala - Aboljan hazardous waste dump
region	varchar(20)			Africa
country	varchar(40)			Cote d'Ivoire
location	varchar(50)			Aboljan
date	date			2006-08-19
lat	float(10,6)			5.28389
lng	float(10,6)			0.00000
type	set			hazardous waste export hazardous waste import WEEE export
scope	set			local national international
Origin	text			Cote d'Ivoire
destination	varchar(50)			Cote d'Ivoire
transit	varchar(100)			Netherlands, Estonia



CWIT PROJECT

Countering WEEE Illegal Trade in Europe

UNICRI together with international partners and high level expert from the academia and EU organizations will:

- Develop a conceptual model of dynamics of the WEEE stream and actors involved
- Investigate the criminal activities, organized crime groups related to trade in this industry
- Provide a set recommendations to the European Commission, law enforcement and environmental authorities, based on identified gaps

UNICRI expertise in analysis of Organised Crime (OC)

- Organised crime is a cross-cutting issue, linked to other serious forms of crime
- Multidisciplinary approach
- Evidence-based research for informed policy-making, ad-hoc technical assistance programmes and capacity building trainings

Concepts of UNICRI research

Illegal traffic of hazardous waste:

- Transportation of dangerous substances in violation of the rules (international and national) which regulate that activity

Hazardous waste:

- Waste with properties that make it dangerous or potentially harmful to human health or the environment

WEEE: Waste electrical and electronic equipment (e-waste):

- Mobile phones, PCs, television sets, refrigerators etc. that include toxic substances and should be treated as hazardous waste

Hazardous wastes include liquids, solids, contained gases or sludge

UNICRI mapping exercise

UNICRI has carried out a mapping exercise on international cases of illegal trafficking of waste to identify:

- Main **trends and patterns**
- Main **trafficking routes**
- Main *modus operandi*
- Involvement of **organised crime**

The **Italian Case** has been taken into consideration to draw some general remarks that can be applied to the dynamic of illicit trafficking originating from other countries

Italian legislation

- “Organized traffic of waste” was criminalized as the first environmental crime offense in 2001
- Currently, “illegal trafficking of waste” and “organized activities for the illegal trafficking of waste” is criminalized
- Organized activities for the illegal trafficking of waste:
Any person who, in order to gain unfair profit through operations and preparation of means and organized continuing activities, sells, receives, transports, exports, imports or otherwise improperly handles large quantities of waste

Waste cycle

Waste trafficking can occur at any of the three different stages in the waste cycle:

- **ORIGIN**

during the initial transfer from producers to firms specialized in waste management

- **TRANSIT**

including transportation and storage activities

- **DESTINATION**

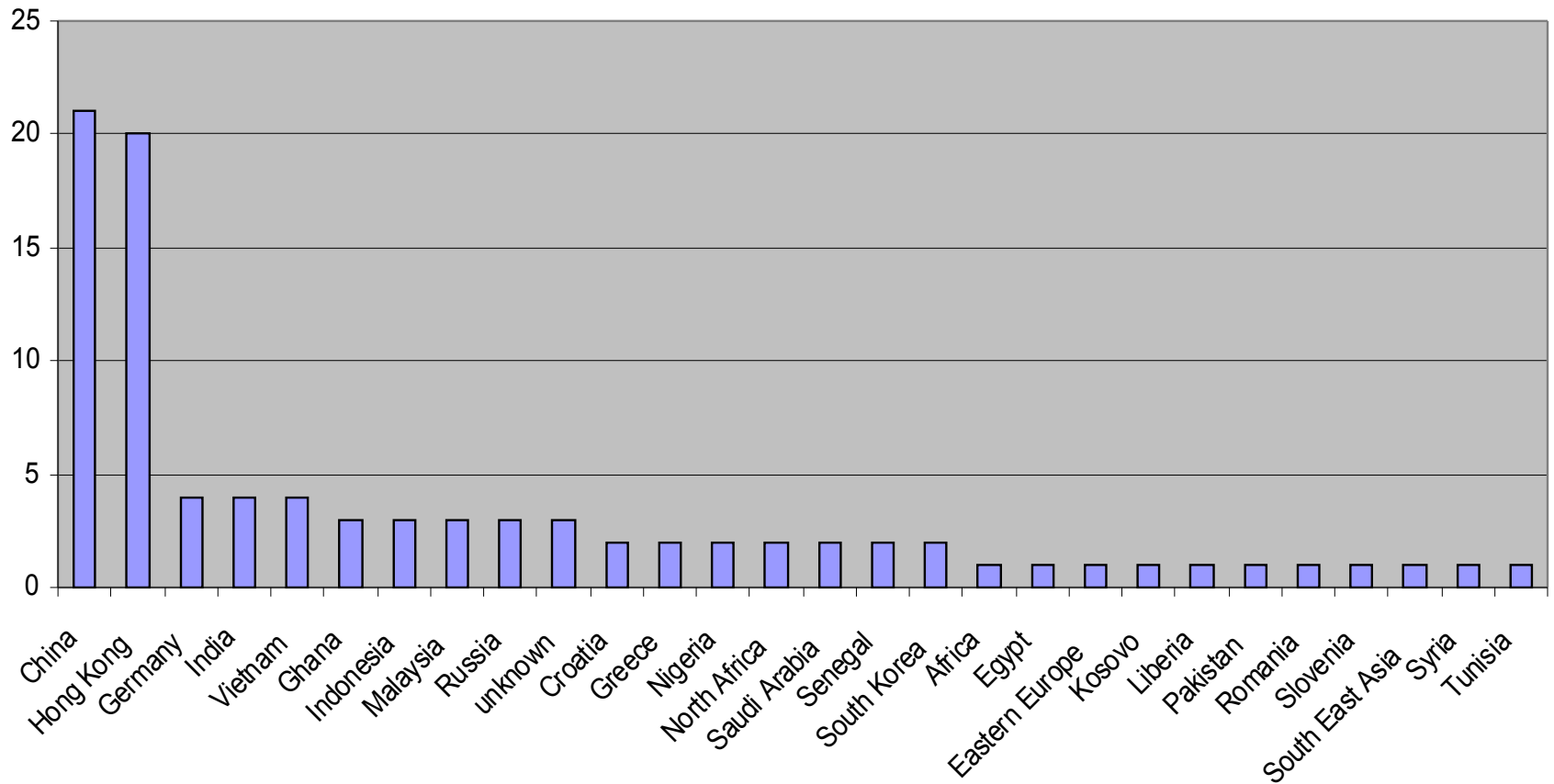
including treatment, recycling and final disposal

Database on waste trafficking

- Transnational illegal waste trafficking from and to Italy
- Cases that have come to the knowledge of the authorities
- Involve planned or actual border crossing
- **75** cases analyzed in 2005-2010 drawn from open source sources

Italy as an origin country - Destinations

Number of case



Destinations

- Each type of waste has a “preferred” destination:
- China for plastic and paper
- Ghana and Senegal for scrap cars and home appliances
- Tunisia for textile waste
- China, Vietnam and Africa for e-waste

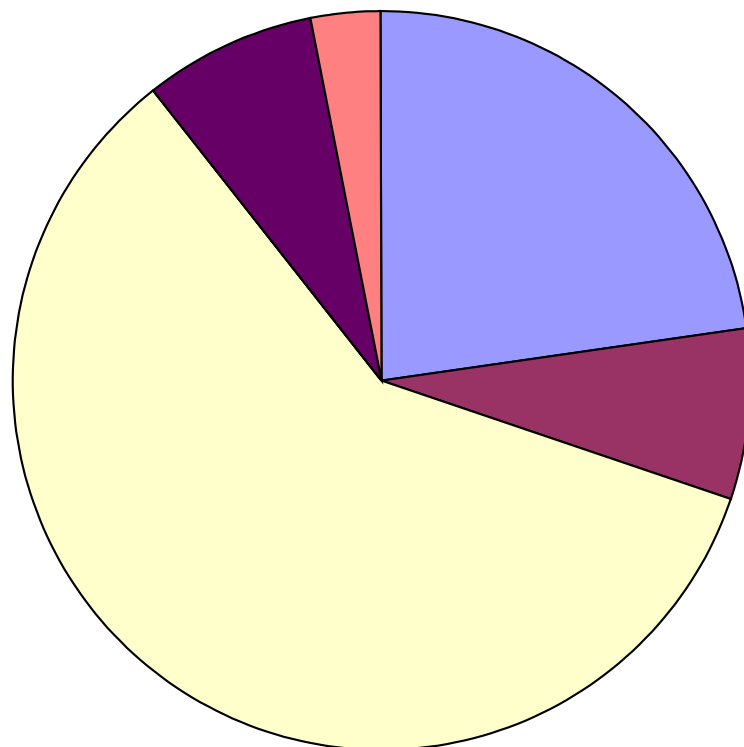
Italy as a destination country

- Albania
- China
- Croatia
- Greece
- South America
- Switzerland



Case identification

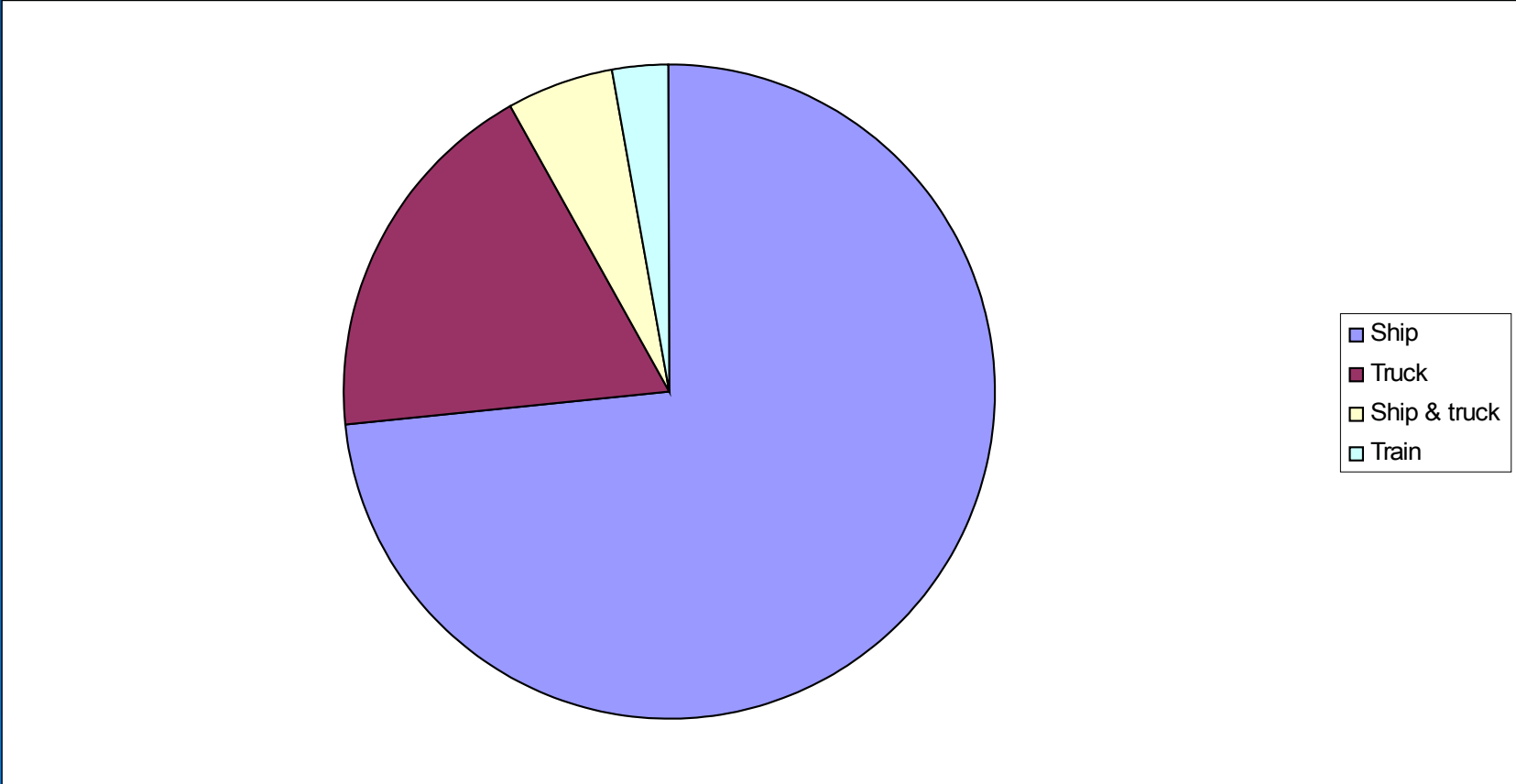
Most cases were identified at ports jointly by the custom and police officers during the waste export phase



- Police
- Customs
- Custom & Police
- Border control
- Custom & police & regional environmental agency
- Custom & police & port authorities

Case identification

Main transportation method



Waste

Mainly shipping containers containing waste were seized

- Crushed large household appliances
- Textile waste, cotton-waste
- Scrap plastic, hazardous plastic waste
- Metal waste, scrap metal waste
- Used tires
- Electric counters
- Wood-processing waste
- Sludge with high radioactivity levels
- End-of-life car parts, end-of-life vehicles
- Industrial waste, residues from mattress manufacturing
- Non-recyclable waste paper
- Pet-coke (by-product of oil refining)
- Leather scraps from a couch factory
- Cathode Ray Tube (CRT) glass, broken glass
- Radioactive pellets



Mixed waste

- Hazardous waste called “cheese” including exhausted oils, contaminated ground, hazardous plastics and end-of-life vehicles parts
- Mixed hazardous waste including electric motors, air compressors, oil filters, scrap plastics, electric cables, printed wire boards and PCB/PCT containing electric parts
- Mix of car engines and other end-of-life machineries still contaminated by motor oil and fuel, old radiators and other end-of-life vehicle scraps and accessories

Paper waste

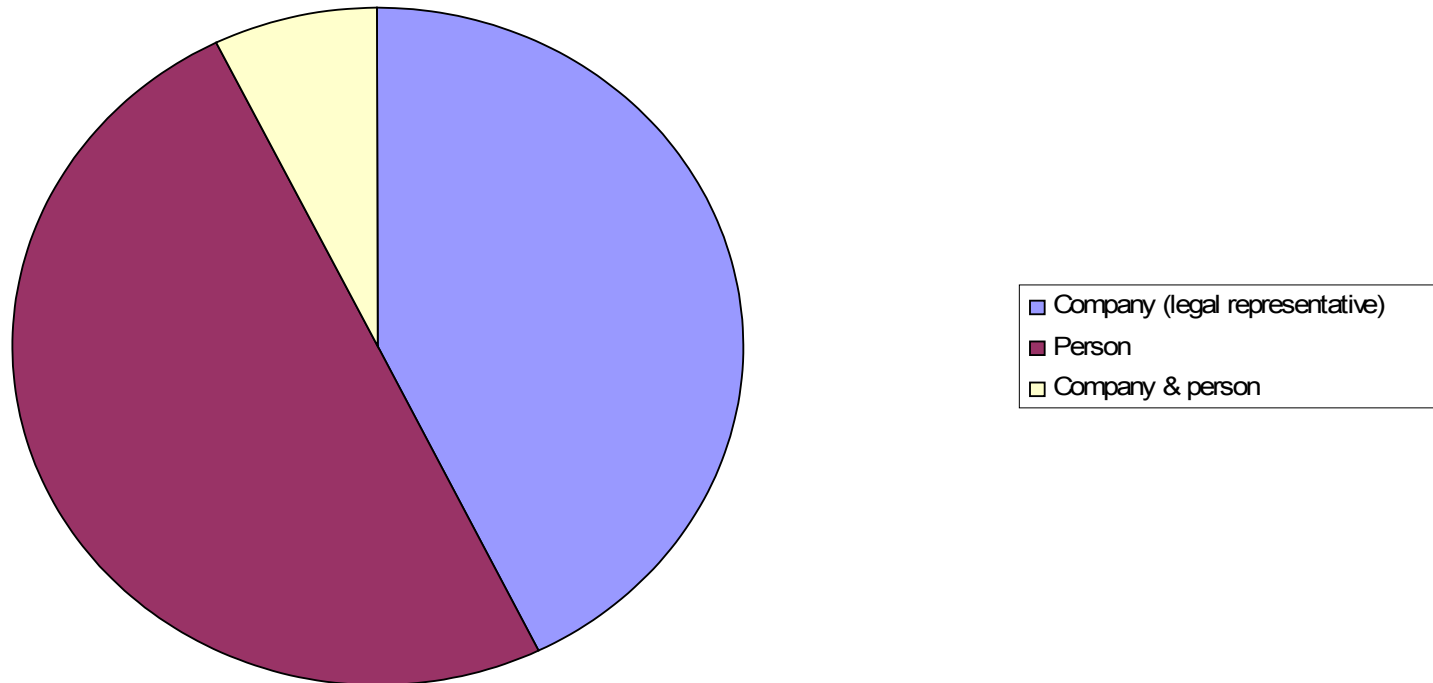
- Non-recyclable waste paper contained documents from a regional medical institute, which are legally required to be destroyed to prevent sensitive data to be exposed
- Mix of non-recyclable waste paper composed of bank archives waste such as bills of exchange, passbooks and other materials containing sensitive data

What made waste trade illegal?

- Mislabelling
- Lack of required waste identification documents, travel documents or authorizations
- Lack of required treatment of waste
- False information on destination country
- Paper waste included sensitive data which is legally required to be destroyed (medical or banking records)

Prosecutions

Both persons and legal representatives of companies were prosecuted



Who?

The profile of the individuals and entities involved in the illicit dumping of waste in Italy:

- *Companies, both national or international;*
- *Public administrators;*
- *Politicians;*
- *Criminal networks.*

The involvement of companies

- Waste disposal is an inefficient, bureaucratic and slow management process at regional and national level
- Rising costs of the legal disposal
- criminal networks infiltrate indirectly through the public procurement of waste management services at the local level
- Multinational companies are aware but forced to behave unlawfully and come to an agreement, in order to avoid threats and other serious damages

The involvement of public administrators

- individuals that are in charge of the management of dumping sites, waste transports, the provision of work means and maintenance activities.
- identified as major key players
- linked to criminal network by being corrupted

Involvement of politicians: Role of corruption

- Criminal networks allow strong electoral support at the local level thanks to their “control” of the territory
- In turn receive facilitation in the assignment of public resources through public procurement, favoring the control of the criminal network in the field of illegal dumping

The involvement of criminal networks

- Organised crime networks”, such as Camorra, N’drangheta and Cosa Nostra are involved at different levels:
 1. *First level: The imposition of “pizzo”(extortion)*
 2. *Second level: The control of collateral activities*
 3. *Third level: The direct management and deal of the waste-energy-plants*

Ways forward – what UNICRI can do

- **Awareness raising** of law enforcement, institutions, public opinion on the transnational illegal waste trade and links with organised crime
- **Exchange of information and cooperation** in investigations concerning illegal waste trade should be promoted.
- Improvement of investigations and prosecutions of environmental crime cases, through the use of **special investigative techniques** as those foreseen by the Palermo Convention
- Creation of an International **Observatory** to monitor illegal trans-boundary movements of waste in order to provide up-to-date evidence based information for improved policies and effective counter measures.



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