



PARLIAMENTARY ASSEMBLY OF THE MEDITERRANEAN
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الجمعية البرلمانية للبحر الأبيض المتوسط

First Standing Committee on Political and Security Cooperation
Special Task Force on Organised Crime

"Eco-mafias and their impact on the Mediterranean"

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1. **The phenomenon of the "eco-mafias" is a paradigm of the strategy now adopted by contemporary organised crime in the Mediterranean**, which is no longer solely manifested by crimes involving bloodshed, but by penetrating the economy and the market. This penetration into the market has found fertile ground in certain economic sectors with major environmental fallout, such as the waste recycling industry.
2. In Italy, "eco-mafia" is a neologism, coined to refer to criminal **organisations that commit crimes which damage the environment**. We should adopt this term in all the member states of the PAM for the reasons stated in this report.
3. As is the case for the offence of criminal conspiracy, this is also an area in which we are faced with a situation of variable legality which makes it possible to transfer pollutants and commit the resultant criminal acts to countries that are more accommodating or which do not envisage penalties, or have more lax legislation than other countries (as in the case of the shipment of electronic and electrical waste to Nigeria from Tilbury in Essex, UK).
4. Waste trafficking is now international in scope, and as such **every country in the Mediterranean must pay particular attention to this phenomenon**, even if they are merely transit countries for this trafficking.
5. Italy, for example, is a crossroads for international waste trafficking from European countries bound to Nigeria, Mozambique, Somalia and Romania.
6. It is assumed that the murder of the Italian journalist Ilaria Alpi in Somalia in 1994 was caused precisely because she was investigating this matter.

7. It must be borne in mind that the **“eco-mafia routes” used for waste-related activities have become increasingly transnational in character**. Millions of tonnes of waste are being shipped every year not only from Italy but from many other industrialised countries, including Austria, France, Germany, Greece and Norway, to African and Asian countries.

8. The **close linkage between the arms trade and the illegal trafficking in waste** has also been demonstrated. In Somalia, in the peripheral areas of the Western Sahara, in the Democratic Republic of Congo (formerly Zaire) and in Mozambique, it has been shown that weapons have been paid for by the warring factions by making land available locally for the illegal dumping of waste.

9. Equally serious is the **trafficking in radioactive materials**, particularly enriched plutonium and uranium, by transnational organised crime, as one of the main perpetrators. This is a situation that should not surprise us considering the proceeds generated by "nuclear contraband": according to reliable estimates, 1 kg of 95% enriched uranium 235 is worth about €35,000, which can be multiplied by 20 on the black market. The situation is therefore particularly serious with regard to the illegal trafficking in both nuclear and radioactive material.

10. In very many cases, the criminal organisations load the toxic and hazardous waste on the **"poison ships"** that are used to dump these substances in the Mediterranean Sea, as already indicated in the report adopted by our Assembly in 2010.

11. **The system** that has now been operating for decades forms part of **an international criminal network that manages the illegal trafficking of hazardous and radioactive waste by sea** (often combined with arms trafficking), with **collusion and connections between organised crime groups, the governments of certain countries, industries and pseudo-businessmen who are in reality unscrupulous brokers and underhand dealers**.

12. It is much more profitable to eschew legal methods and to find a very old ship, cram it with tonnes of hazardous waste and sink it, often in the Mediterranean, and where possible in countries where it is also easy to enlist the connivance of the authorities or work in conjunction with organised criminal gangs.

13. The industrialised countries bordering the Mediterranean are also becoming both victims and perpetrators in the international traffic of toxic waste using the "poison ships".

14. The fortune that is dumped in the sea and contaminates the Mediterranean Sea generates the millions earned by the traffickers and organised criminal organisations, which demonstrates that **crimes against the environment cannot be considered as minor offences**.

15. Neither can the Parliamentary Assembly of the Mediterranean ignore the fact that the irresponsible use of poisons could lead **terrorist groups** linked to the criminal organisations to use those poisons and toxic and radioactive waste of various kinds to make explosive devices, contaminate water reserves, and hence threaten the security of whole countries.

16. It is no coincidence that in Italy, a cooperating witness told an Italian judge, "waste is gold!".

17. It is clear that **the internationalisation of the criminal organisations** engaged in illegal trafficking and causing environmental disasters **demands international responses to combat this phenomenon**. The PAM must play a central role in this process of harmonising legislation in our region.

18. The awareness that this phenomenon can be attacked effectively only if there is close cooperation between the Mediterranean countries at the level of legislation and in operational terms, would enable the countries to promote initiatives and instruments to create an international legal area.

19. To achieve this goal considerable difficulties have to be overcome. Combating transnational crime has to take account of the legislation of each country, and it is therefore not sufficient merely to amend the relevant legislative texts but, in general, it is the culture producing and administering the law that has to be changed. An **international penal code** has been discussed at the United Nations for over 20 years, as has the permanent international criminal court to enforce it. The Mediterranean and the PAM must play their part in this process. An awareness-raising effort is therefore necessary and the legislation governing this matter must be amended or innovated, and it is absolutely essential for the Parliamentary Assembly of the Mediterranean to be pro-active in this sector.

20. Hence the need to create **the crime definition of "organised waste trafficking"** in order to enable the investigators to equip themselves with appropriate instruments to investigate the criminal groups controlling this industry, apprehend the perpetrators and make use of Letters Rogatory.

21. The above measures would make it possible to adequately identify the characteristics, operating procedures and routes of the criminal organisations managing this traffic and break up some of their most active transnational structures.

22. To evade the **Basle Convention** which, since 1992 has governed the cross-border movement of waste between the OECD and the non-OECD countries, and which envisages a general ban on exportation, the traffickers often use triangulation between countries and forge the bills of lading accompanying the cargoes. Containers full of sheer waste, declared at the borders to be raw

material, secondary material or processing residues, pass between one intermediary to another, from one country to another, one organisation to another until all trace of them is finally lost, travelling from Italy - Germany – the Netherlands – Hong Kong – China, for example. As a rule, each shipment moves through five or six or seven stages.

23. The **World Customs Organisation** must play a key part by stepping up the surveillance of the routes and transfers of these shipments and extend its work to combat this type of trafficking, for the volumes are constantly increasing. PAM should establish contacts with this organisation and use the data received to combat the work of the eco-mafias in the Mediterranean.

24. Against this backdrop, we must examine the appropriateness of setting up an "**Observatory on the international trafficking of waste**" between all the countries belonging to our Assembly with the task of monitoring the shipments of waste, supervising every phase of waste handling, in order to guarantee compliance with the rules and to safeguard the environment.