

Executive Summary of the Report on the Eurojust's Casework Environmental Crime

Date: 29 January 2021

URL: <https://www.eurojust.europa.eu/report-eurojusts-casework-environmental-crime>

1. Environmental crime is expanding rapidly, endangering not only habitats and populations of wildlife but entire ecosystems, living environments and financial systems. These crimes can generate very **high profits**, carry a relatively **low risk of detection** and are often committed by **organised-crime groups**, which operate across the EU's internal and external borders.
2. The increase in environmental crime, combined with its **complex, transnational character**, requires an **integrated and coordinated approach**, from administrative, law enforcement and judicial authorities at the national level to cross-border cooperation at the international level.
3. Against such a background, it is commendable and welcome that the European Commission has adopted the **European Green Deal**, the new roadmap for making the EU's economy sustainable across all sectors of society.
4. **Eurojust**, the European Union Agency for Criminal Justice Cooperation, has the collective ability to **maximise the investigative efforts of the national authorities**, to ensure efficiency in the investigation and prosecution of environmental crime across borders.
5. In this casework report, Eurojust provides a concise and up-to-date overview of the **legal and operational challenges** arising from nearly 60 environmental cross-border crime cases referred to the agency in the period from 2014 to 2018.
6. It highlights **best practices** that have allowed national authorities to build trust, to ensure efficiency in the investigation and successful prosecution of environmental crime and to develop sustainable cooperation, not only within the European Union but with non-EU countries as well. A number of **case examples** illustrate how the countries involved reached a common understanding of legal concepts, exchanged information, engaged all actors needed to take action, developed a common strategy and achieved successful results together.
7. The report also maps out the **main challenges** specific to investigating and prosecuting environmental crime, and presents **recommendations** to better reap the potential benefits of effective and timely cross-border cooperation, as listed below.
 - (i) Effective **multidisciplinary cooperation** among the competent administrative, law enforcement and judicial authorities is required at the national level, as a precondition for effective international cooperation in environmental crime cases.
 - (ii) Environmental crime needs to be recognised as a **form of organised crime**. This allows a broader range of investigative tools and resources to be used and opens up the possibility of initiating a cross-border investigation.
 - (iii) It is important to **conduct financial investigations** and to **recover the profits** of environmental crimes on a more systematic basis, to tackle the financial incentives for this type of criminality.

-
- (iv) The **early involvement of Eurojust** allows for effective international cooperation, coordination from the start of investigations, the effective exchange of information and the development of common strategies.
 - (v) Key **concepts of environmental criminal law** need to be **further harmonised** and more consistently interpreted across the EU Member States. The **penalties** for environmental crime should also be more **uniform and dissuasive**.