



Fiscal de Sala Coordinador de Medio Ambiente y Urbanismo
Fiscalía General del Estado

ENVIRONMENTAL CRIMES

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ENVIRONMENTAL CRIMES - ITS IMPORTANCE

ACCORDING TO U.N. ENVIRONMENTAL CRIMES ARE FOURTH LARGEST CRIME IN THE WORLD AFTER:

- DRUG TRAFFICKING.
- COUNTERFEIT CRIMES.
- HUMAN TRAFFICKING.





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ACCORDING TO U.N.

ROOT CAUSES ARE PRIMARILY:

- THE LOW RISKS AND HIGH PROFITS.
- PERMISSIVE ENVIRONMENT.
- POOR GOVERNANCE AND WIDESPREAD CORRUPTION.
- MINIMAL BUDGETS TO POLICE, PROSECUTION AND COURTS →
- THE SITUATION IS ESPECIALLY CRITICAL ON WHAT CONCERNS THE SUPPORT TO PROSECUTION AND COURTS IN MANY DEVELOPING COUNTRIES.





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ACCORDING ALSO TO U.N.

THE GROWING RATE IS OF ENVIROMENTAL CRIMES IN THE WORLD IS BETWEEN 5 % AND 7%
PER YEAR.





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U.N. RECOMMENDS

THE SHEER FINANCIAL SCALE AND SOPHISTICATION OF ENVIRONMENTAL CRIMES NOW REQUIRE AN ENTIRELY DIFFERENT SCALE OF COORDINATED RESPONSES AND INTERNATIONAL COLLABORATION, WORKING ACROSS MINISTRIES AND JURISDICTIONS AT THE NATIONAL LEVEL, TO INTERNATIONAL CROSS-UN AND TRANS-BORDER COLLABORATION.





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EUROJUST RECOMMENDS

- 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.





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THREE ASPECTS WHICH CHARACTERIZES ENVIRONMENTAL CRIMES

EUROJUST REPORTED THAT:

- A NUMBER OF STAKEHOLDERS IN THE FIELD OF COMBATING ENVIRONMENTAL CRIME REPORT THAT THE CRIMINAL NETWORKS INVOLVED IN ENVIRONMENTAL CRIME MAY ALSO BE INVOLVED IN DRUG TRAFFICKING, TRAFFICKING HUMAN BEINGS, FIREARMS TRAFFICKING, FINANCING OF TERRORISM OR CORRUPTION.
- HOWEVER, IF DETECTED, THESE CRIMES TEND TO BECOME THE “LEAD CRIMES” OF THE CRIMINAL PROCEEDINGS,
- WHILE ENVIRONMENTAL CRIME BECOMES ANCILLARY AND SOMETIMES IS NOT EVEN INVESTIGATED AND PROSECUTED TO ITS FULL POTENTIAL.





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PRINCIPES THAT EMERGED REGARDING THE PROTECTION OF ENVIRONMENT

- CORPORATE LIABILITY.
- *IN DUBIO PRO NATURA.*
- ABSOLUTE LIABILITY .
- ENFORCETABLE RIGHTS APPLICABLE TO NATURE.
- SPECIALISATION OF JUDGES AND PROSECUTORS.





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REPORT BBC

25/OCT/2021

- SULPHUR DIOXIDE EMISSIONS HAVE FALLEN SINCE THE 1980s.
- THE OZONE LAYER IS SLOWLY BEGINNING TO SHRINK.
- 1920s TO 2020s: LEADED PETROL.





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THANKS FOR YOUR ATTENTION