

## **The strategy of the International Criminal Police Organization - INTERPOL – in combating environmental crime.**

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### **Abstract:**

Through this study, we aim to demonstrate the strategy of the International Criminal Police Organization in the fight against environmental crime, on the premise that these crimes constitute the most significant challenges that the organization has faced in recent years, which have imposed themselves on the international community as a whole, as crimes linked to many organized crimes, which require cooperation at all levels, in particular those of the police, and the prosecution and extradition of criminals according to the mechanisms imposed by the Basic Law of the International Criminal Police Organization amended in 2008, and in the face of the widening gap between the course of environmental damage, which develops day by day, and the efforts made by the International Organization of criminal police, it was necessary to start from the evaluation and study of the strategy adopted by the International Criminal Police Organization to combat environmental crime and determine its effectiveness in the process of combating it.

**Keywords:** environmental crime, international criminal police organization, control mechanisms, environment.

### **Introduction:**

Despite the international interest in environmental problems that have spread and increased in many regions of the world, the degree of their severity varies according to the type and severity of the pollutants they receive and the volumes and speed of their accumulation. In obtaining a healthy environment, and if the

process of criminalization and punishment are the most important tools of criminal policy with regard to crimes that take place within the borders of one country, then the existence of international cooperation at all levels is the most important of these tools with regard to crimes that exceed the borders of one country, such as environmental crime, especially since cooperation It may be included in a number of international conventions and instruments that work to combat environmental crimes and protect the environment from the dangers of pollution, which was confirmed by the Under-Secretary-General of the United Nations and the Director of the United Nations Environment Program by saying: “The time has come to address the threat posed by environmental crime by taking action by member states, international organizations and nations.” United Nations coordinated procedures, and these procedures must take into account the need to improve the exchange of information, enhance the protection of civilians, consolidate police work, and deepen understanding of the motives of conflicts.”

Other than actual international cooperation, it can only be by embodying the process of combating and prosecuting criminals through the International Criminal Police Organization, which has expanded jurisdiction. Through it, you can cross the borders of countries, as it constitutes an obstacle to the prosecution of criminals.

From this standpoint, the problematic of the study was represented in the following:

### **What is the extent of the contribution of the International Criminal Police Organization in combating environmental crime?**

In answer to the main question, the following sub-questions are raised:

What is environmental crime?

- What is the International Criminal Police Organization?

- What are the efforts of the International Criminal Police Organization in combating environmental crime?

To highlight the importance of the study through the importance of achieving a balance between criminal behaviors affecting the environment and the level of combating it by Interpol, as a strategy to reduce environmental crime, which has become a reality and even an obsession that threatens each of the countries,

coinciding with the development of its methods of committing it, as a typical arena for crime.

In order to achieve the objectives of the study, which are:

- Recognizing environmental crime as an international crime in its own right;
- In addition to determining the effectiveness of the role of the International Criminal Police Organization and its various mechanisms in combating organized crime;
- Identifying the gap between the negative effects of existing environmental crime and the level of efforts that INTERPOL is making to combat it;

In order to answer the problem posed, we followed the descriptive approach in the process of accurate and objective description of both environmental crime and the International Criminal Police Organization, as well as the analytical approach to analyze the legal rules contained in the Basic Law of the International Criminal Police Organization amended in 2008.

A plan consisting of three axes was followed, through which environmental crime was exposed in the first axis, the International Criminal Police Organization within the second axis, while the efforts of Interpol to combat environmental crime were addressed within the third axis.

### **The first axis: The Environmental Crime**

In order for the features of international environmental crime to become clear, it was necessary to define its concept as well as the conditions that must be met for the occurrence of this crime.

#### **First: The concept of environmental crime:**

Environmental crime is widely recognized as one of the most lucrative forms of transnational criminal operations. Its monetary value in 2016 was estimated between 91-259 billion US dollars annually, as it is the fourth largest criminal area in the world after drugs, counterfeiting and human trafficking. This estimate corresponds to an increase of 26 percent compared to 2014, with rates of such crimes expected to increase by 5-7 percent annually.

In light of the disagreement about a unified definition of the environment,

which was the first to formulate the word ecology, the scientist Henry Threw in 1858 without specifying its meaning and dimensions, then the German scientist Ernst Heger came in the year 1866, which is composed of two syllables of Greek origin, oikos, which means housing, and the second logos, which means science. Some have defined it as the vital field that surrounds man, from which he derives the elements of his life, and what guarantees his survival and existence, and man affects and is affected by it.

Others emphasized that the environment in which humans live is not a group of separate parts, but rather a complex or system in which the lines drawn on maps fade away as international borders.

This was reflected in the definition of environmental crime, which also did not have a unified definition, as it was defined as “positive or negative behavior, whether intentional or unintentional, emanating from a natural or legal person that harms or attempts to harm one of the elements of the environment, whether directly or indirectly”.

While some have defined it as: every legally prohibited behavior that affects the environment in one of its various elements with harm or danger, and the legislator decides for it a criminal penalty, whether the behavior was committed intentionally or unintentionally, and when the impediments to criminal liability in it are absent.

As for the international environmental crime, it was not immune from the jurisprudential difference in defining it, as the majority of the jurists concluded that it is a war crime, which can be defined based on its legal qualification as the acts of hostility carried out by soldiers or other individuals that harm the various components of the environment.

The Algerian criminal legislator did not define the environmental crime, but was satisfied with stating the elements of the environment within Law 03/10 of July 19, 2003 related to the protection of the environment within the framework of sustainable development, where it was stated in the text of Article 04/F7 thereof that the constituent elements of the environment are abiotic natural resources and Vitality such as air, atmosphere, water, land, subsoil, plants and animals, including genetic heritage, and forms of interaction between these resources, as well as places, landscapes and natural features.

## **Organization:**

After INTERPOL Secretary General Jürgen Stock emphasized that: “Environmental crime transcends national borders and has inherent dangers. It robs governments of much-needed resources, people's livelihoods and communities’ peace and security. The international community must support a comprehensive approach.” To translate words into actions and apply appropriate policies and enforce relevant laws.”, Since crime is an illegal act that causes damage to the environment, many international bodies such as the Group of Eight, Interpol, the European Union, the United Nations Environment Program and the United Nations Regional Research Institute have recognized Crime and justice in the following environmental crimes:

- 1- Illegal trade in wildlife in endangered species in contravention of the Convention on International Trade in Endangered Species of Fauna and Flora.
- 2- Smuggling of ozone-depleting substances, in contravention of the 1987 Montreal Protocol on Substances that Deplete the Ozone Layer.
- 3- Dumping and illegal trafficking in hazardous wastes in contravention of the Basel Convention of 1989 regarding the control of transboundary movements of hazardous wastes and other wastes and their disposal.
- 4- Illegal fishing without reporting and without regulation, in contravention of the controls imposed by the various regional fisheries management organizations.
- 5- Legal cutting of trees and the related trade of stolen wood in violation of national laws.

## **The second axis: the International Criminal Police Organization**

In front of the expansion of criminal behavior and the transfer of criminals between countries, taking advantage of the barriers of the principle of sovereignty of states, the existence of an international entity that grants it special powers and privileges has become an imperative to achieve a more effective level of combating crime, which led to the emergence of the International Criminal Police Organization - INTERPOL -.

### **First: The creation of Interpol**

Manifestations of international cooperation in the police field began in the

International Convention for the Suppression of White Slavery held on May 18, 1904, which states in its first article that: “All contracting governments undertake to establish or designate a focus authority that has information on the use of women and girls for the purpose of prostitution abroad.” This authority shall have the right to directly address the administration representing it in all the contracting party states.

Then international cooperation took the form of international conferences, and it was embodied in the Monaco Conference held in 1914, and although it did not produce any practical results because of the First World War, it was the reason for the convening of the Vienna Conference later, which resulted in the birth of the International Criminal Police Organization, whose activity was affected by political events and the emergence of World War II, which led to the cessation of its activity, which was renewed after the end of World War II, based on the invitation of "Mr. Lovag" the Inspector General of the Belgian Police to hold an international conference in the period between 6 to 9 June 1946, attended by delegates 17 countries attended the conference, and the conference ended with the revival of the International Criminal Police Commission, and the transfer of its headquarters to Paris, where important amendments were made in the system of the committee, in which the position of the presidency, an executive committee, and the position of the secretary-general were established. This committee was called the “International Criminal Police Organization.” The number of organizing countries has reached It reached 182 countries, bringing the level of cooperation between the United Nations and Interpol up in November 2016 after the General Assembly unanimously adopted Resolution 71/19, in which the organization commended the level of cooperation and coordination between the United Nations and Interpol and encouraged it to be raised, especially in matters of combating terrorism. transnational crime, cybercrime, corruption, financial crime and environmental crime. This resolution was then reviewed and approved as Resolution 73/11 in November 2018, after the operational language dealing with the most important areas of cooperation was added to it.

Accordingly, Interpol performs its tasks based on a number of principles confirmed by the Basic Law of the International Criminal Police Organization, amended in 2008, including respect for the national sovereignty of the member states of the organization because the organization is not a supreme international authority above the member states, but rather gives its workers the right to intervene to arrest fugitive criminals in any country Among the member states of

the organization. the implementation of the decisions of its general assembly, equal rights and obligations among all member states within the organization, and the organization is prohibited from any activity related to issues of a political, military, religious, or racial nature.

## **Second: The capabilities of the International Criminal Police Organization**

The organization's police capabilities are represented in the expertise, tools and services that it places at the disposal of its member countries.

1- Police data management: The organization has global databases containing detailed information on suspicious persons, travel documents, vehicles, artwork, fingerprints, DNA, and more. INTERPOL allows front-line employees to use these databases in real time, through the INTERPOL global communications system, which allows investigators to link information that may appear at first glance to be unconnected, but it facilitates investigations and helps in solving crimes, and thus the system has information about criminals, travel documents, stolen vehicles, fingerprints and stolen works of art, and Canada became on January 21, 2003 the first country to be connected to this system, and so far all member countries have been connected, although the system is mainly located in the national central offices. But many countries also decided to place them in strategic locations, such as border centers, airports, and customs agencies.

2- Criminal Evidence: Experts possess specialized knowledge in fingerprinting, DNA fingerprinting, disaster victim identification, facial recognition and evidence digital criminal.

3- Analysis Criminal: Based on the link between crimes, persons, places and criminal method, INTERPOL can determine crime trends and patterns.

Supporting investigations related to fugitives Since people fleeing at the international level are opportunists and a source of danger in many cases, Interpol seeks to crack down on fleeing criminals, because criminals who cross international borders often resort to changing their names and descriptions, the organization plays an active role in verifying The identity of the criminals and revealed, by registering their real name, their pseudonym and their fingerprints, in order to arrest him, and compare them with the original photos available to the organization, and the same procedure is followed to detect the unknown bodies that the organization is notified of.

4- The Operations and Coordination Center: is the first point of contact for countries that need assistance and works around the clock from the organization's offices in Buenos Aires, Leon and Singapore, which works in coordination with the national central offices established in the member states, to be a link between the police agencies in the country and these offices. on the one hand, and between it and the General Secretariat of Interpol on the other.

5- Developing special projects: the organization develops projects in order to keep up with trends and address specific issues such as the Interpol Border Management Task Force.

6- Innovation: Criminals are rapidly adopting new technology, and police must stay ahead of the curve. The INTERPOL Innovation Center is concerned with research and development in the field of police work.

7- Capacity building and training: Continuing learning and capacity development are imperative for police personnel at all levels, and the organization provides training adapted to the specific needs of its member countries.

### **The third axis: Interpol's efforts to combat environmental crime**

The International Police Organization - INTERPOL - has effectively contributed to combating crime by providing its member states with important information about wanted criminals.

Its interest in recent years has focused mainly on environmental crime as one of the forms of organized crime, as it established in the General Secretariat of Interpol in 1999 a specialized team to combat organized crime entrusted with the task of implementing the organization's policy to address this crime by providing member states with various information about criminal organizations and the suspect them and preparing studies on this crime. Especially since environmental crimes are often committed alongside other crimes such as passport counterfeiting, corruption and money laundering, and even in addition to the crime of murder, and unlike the illegal trade in drugs and other illegal goods, natural resources are limited and more of them cannot be produced in laboratories, which explains The urgent need to combat environmental crime, in which the methods used, such as smuggling wild animals across countries and continents, are the same ones used for trafficking in weapons, drugs and people.

Therefore, Interpol had an important role in combating environmental crime

through:

### **First: Cooperation with international organizations:**

To study the phenomenon of crime and strengthen cooperation among member states, the basic law of the organization issued in 2008 defined its tasks in the field of combating crime in general, and organized crime, including environmental crime in particular, to be embodied in the following framework:

#### **1- The joint report between INTERPOL and the United Nations Environment Program for the year 2016:**

The publication of this report follows a resolution adopted by the United Nations General Assembly at its 71st session in November calling for enhanced cooperation between the United Nations and INTERPOL to combat environmental crime and terrorism. INTERPOL and UNEP surveyed nearly 70 countries on their new joint report “Environment, Peace and Security – A Convergence of Threats” released today as part of the 2016 Law, Justice and Development Week organized by the World Bank in Washington.

The report focused on the links between global environmental crime, which annually generates between US\$ 91 and 258 billion, and other criminal activities, particularly organized crime and terrorism, and reported that more than 60 per cent of the countries surveyed saw the emergence of new forms of environmental crime. Of environmental crimes or criminal methods in this field, which indicates the increasing complexity of transnational organized crime groups and their growing ability to adapt. Also, 84 percent of countries reported that these crimes intersect with other serious crimes such as corruption (42 percent) and counterfeiting (39 percent), drug trafficking (36 percent), cybercrime (23 percent), and financial crime (17 percent), which confirms that illegal activities involving the environment, biodiversity, or natural resources are often profitable and have relatively low risks for criminals. Environmental crimes were not previously considered a priority in some countries, which led to a lack of appropriate governmental response. Therefore, the report recommends adopting a multidisciplinary approach to combating environmental crime, enhancing information exchange across various sectors, increasing focus on implementing environmental policies, and consolidating financial support. particularly in the context of official development assistance.

#### **2- A program for INTERPOL and the United Nations Office on Drugs and**

## **Crime:**

This program provides a way forward in fulfilling the pledge made at the 26th session of the Climate Summit in relation to reducing deforestation by 2030, as it can help the targeted efforts of law enforcement agencies stop tropical deforestation. The recent results of an international coalition to combat illegal deforestation show that these efforts, if accompanied by sufficient commitment, can play a major role in urging countries to fulfill the pledge made at the Conference of the Parties, through several programs, the most important of which is the LEAP program that adopts The actions taken under it are mainly based on intelligence data, and it is currently operating in ten specific countries throughout Southeast Asia and Latin America, and it is working to build national task forces, provide field support, provide guidance and build capacity with regard to combating forest crime and illegal deforestation of tropical forests, The program also helps uncover trafficking routes, hotspots, criminal methods and emerging crime trends, and facilitates transnational investigations. It also encourages multi-agency collaboration at the national and regional levels, particularly with the private sector. In cooperation with national authorities in Papua New Guinea, an international coalition led by INTERPOL and the United Nations Office on Drugs and Crime contributed to a significant decline in overall deforestation-related activities in 2020 600 people have been arrested and 420 cases have been opened, of which 178 are related to LEAP countries, namely Ecuador, Indonesia, Papua New Guinea, Brazil, Peru, Thailand, Viet Nam, Cambodia, Colombia and Laos.

## **Second: Coordination of efforts in the matter of apprehending criminals**

As it undertakes coordination with the member state, by specifying the whereabouts of the criminal, expediting procedures for his arrest, and extradition of criminals in accordance with what is included in the laws and internal systems of countries and human rights agreements as stated in Article Two of the Basic Law According to the International Criminal Police Organization for the year 2008, in an operation coordinated by INTERPOL and the World Customs Organization to combat wildlife and timber crime at the global level, it dismantled criminal networks and arrested hundreds of their members in the world, as it participated in the operation that lasted for a month (1-31 October) and carried Codenamed “Thunder 2021”, customs, police, financial intelligence units and wildlife and forest enforcement agencies in 118 countries, the largest number of countries participating in the annual operation since its launch in 2017, have searched thousands of cars, trucks and cargo ships suspected of transporting

protected wildlife and timber. At border crossings in all regions, often using specialized police dogs and x-ray scanners, thousands of suspected marine pollution suspects, companies and networks have been identified and investigated in a global operation led by INTERPOL. The third version of Operation 30 Days at Sea 3.0 (March 1-31) saw 300 instruments from 67 countries moving simultaneously, enabling an unprecedented 34,000 inspections across seas, inland waterways, coastal areas and ports to detect Violations of the law related to marine pollution, and the work in the front lines came after five months of gathering and analyzing information, which made it possible to identify the most prominent areas being polluted in the waterways in the world and those suspected of being responsible for their criminal and intentional pollution.

### **Third: Activating the fight against environmental crime through the Environmental Security Unit**

The Environmental Security Unit includes member countries, international organizations, civil society organizations and the private sector. In this area, four global law enforcement teams (fishing, forestry, pollution and wildlife) help to dismantle criminal networks involved in environmental crimes, by providing law enforcement with tools and the expertise it needs to protect the environment from exploitation by criminals. These teams also provide support in investigations of international cases and matters, coordinate operations, and help Member States exchange information and analyze those linked to networks of environmental offenders.

These four teams are supported by the Strategy Team so that they can operate in an interdependent world in which policies and partnerships are a prerequisite for achieving excellence and an innovative approach to law enforcement. Addressing emerging trends in environmental crime. The committee also provides a platform for law enforcement officials to share experiences and discuss new strategies.

### **Conclusion:**

After studying the strategy of the International Criminal Police Organization - INTERPOL - in combating environmental crime, it can be said that environmental crime is considered one of the most important priorities of the organization, which is adapted on the basis that it is an organization specialized in international cooperation in the field of combating crimes and tracking down

criminals who are able to penetrate state borders and move to another country, so the following results can be confirmed:

-Interpol has managed to arrest thousands of people for environmental offenses and disrupt many transnational crime networks.

Interpol has revealed links between environmental crime and other serious criminal areas such as fraud, corruption, human trafficking, drug and firearms trafficking, money laundering, murder and terrorism.

- The Interpol confiscation of many types of wild and marine life, as well as ships and vehicles that transport these animals, wood and waste illegally, or practice fishing in violation of the law.

- Interpol coordination in some major investigations between countries in environmental crimes, and based on these results, the following suggestions can be reached:

Initiating concerted procedures and exchanging information with Interpol offices with more credibility and transparency.

Recognizing environmental crimes and dealing with them as a serious threat to peace, and strengthening the rule of law at all environmental levels.

- Building the capacities of all actors with INTERPOL, concerned with enforcing environmental laws such as police, prosecutors and customs.