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Top Authorities Join Forces Against Environmental Crime in Costa Rica

by George Rodríguez
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Crimes against the environment have much in common with drug trafficking and are, in fact, a variety of organized crime. Local gangs—heavily armed, using sophisticated equipment—are often part of international networks that traffic in natural resources, ranging from expensive varieties of wood to exotic plants and wildlife. In Costa Rica, a country with a tradition of protecting natural resources (NotiCen, Sept. 18, 1992, Nov. 6, 1997, and March 11, 2004), wood cut down illegally reaches destinations as distant as India or Morocco. Last month, Costa Rican authorities joined forces to combat these crimes against the environment.

An agreement signed Feb. 24 by the highest executive and judiciary officials in the country created a multi-institutional commission to lead the effort, paving the way for the creation of an environmental police force.

Edgar Gutiérrez, an expert in environmental issues who heads the Ministerio de Ambiente y Energía (Environment and Energy Ministry, MINAE), told NotiCen that the agreement responds, among other issues, to the fact that Costa Rica’s park rangers are outmatched in equipment by environmental criminals, and to the need for better legal instruments to counter illegal activities.

“One of our findings (…) is that environmental crime has become more and more sophisticated. More and more, it responds, not to, let’s say, a person who for any given reason kills a deer or steals some orchids; there’s a [type of] environmental crime we’ve been observing that responds more to an organized crime network,” Gutiérrez said.

As an example, Gutiérrez mentioned the illegal logging and trafficking abroad of cocobolo (Dalbergia retusa), a precious variety of local wood. “It’s being logged in a completely illegal way, not only in protected areas but also on privately owned land,” he said. “The cutting down has become extremely sophisticated,” and includes the use of “chainsaws with silencers.”

Similarities with drug trafficking

Gutiérrez compared the trafficking of wood to one of the many ways drugs are illegally moved between countries. “The wood is so precious, and it’s paid so well, that on the illegal market, it’s sold by the kilo, and it’s exported in suitcases. It’s trafficked in suitcases,” he said. Mentioning another example, he said that teak from Costa Rica is trafficked to India.

The trafficking of wild species is second only to drug trafficking, Gutiérrez said, adding that it includes exotic birds such as macaws. “It’s a very serious business, structured on a world scale. So, we realize that they’re organized gangs (…) we realize that there’s an entire organization set up. It’s a mafia.”

Gutiérrez said that Costa Rica’s park rangers aren’t equipped to face the smugglers, who “go around heavily armed,” he said, adding that the problem isn’t limited to Costa Rica. “Actually, that’s present in every country.” (NotiCen, April 19, 1991, and March 12, 1998).
Faced with these situations, Gutiérrez said, the Costa Rican government saw the need to draw up an inter-institutional agreement and establish a commission that would allow officials to take the measures needed to combat environmental crime. He spoke of “the need for crime, once it’s reported and acted on, to have a fast judicial answer, because we need to attack fast, and we have to face up to it fast, and sentence it fast.”

The government agencies that participated in the agreement, he said, include the Ministerio de Seguridad Pública (Public Security Ministry, MSP), the judiciary, and MINAE. He said the Organismo de Investigación Judicial (Judicial Investigation Agency, OIJ) would take part as well, along with the Fiscalía General (Public Prosecutor’s Office). “And, through them, we also bring Interpol in, because those are international crimes,” he said.

The goal is to ‘speed up proceedings’

The agreement led to the creation of the Comisión Nacional de Seguridad Ambiental (National Environmental Security Commission), which was tasked with coordinating the actions of national and international bodies to strengthen implementation and fulfillment of rules governing environmental matters in Costa Rica. “What they do is, precisely, speed up proceedings (…) so we can, in effect, address these complaints rapidly,” Gutiérrez said.

The commission will promote consistent and thorough knowledge of the country’s criminal environmental law among the participating state institutions, a government communiqué stated. Three work groups make up the commission, it added, called Director, Investigation, and Focal Points. The first of the work groups is coordinated by the Public Prosecutor’s Office, the second is made up of the different police forces and an attorney, and the third includes personnel from the judiciary, MINAE and MSP.

According to an official fact sheet, the commission’s scope includes the collection, analysis, and processing of “data about environmental crime-related issues and cases.”

The commission will also receive proposals from the attorney general to create temporary criminal investigation groups primarily focused on organized crime. It will benefit from the use of the international communications and information platform provided by the International Criminal Police Organization (ICPO)—better known as Interpol—“to channel technical, logistic and economic support to fulfill [its aims] with strict respect for applicable legislation.”

Costa Rican President Luis Guillermo Solís presided over the signing of the agreement. “Organized crime is not only drug trafficking,” he said then. “Today’s ceremony proves the need for the state to look at other expressions of organized crime that are no less perverse, and in some cases more harmful, than drug trafficking—such as trafficking in persons, in natural species—and do harm to the nation’s natural and cultural patrimony.”

The president also warned that environmental crimes “go way beyond small damage” and are “serious and have very notorious links with international networks.”

Expressing a coinciding view, Zarella Villanueva, president of the Corte Suprema de Justicia (Supreme Court of Justice, CSJ), said that “the fight against environmental crimes is a priority of states because of their negative impact,” which includes “economic, social, environmental, biodiversity, and security consequences.” She noted the importance of focusing efforts on raising
public awareness, and added, “It is necessary to continue to carry out permanent efforts to achieve
greater efficiency in reporting, investigating and prosecuting those crimes.”

Regarding the actions outlined in the agreement, Security Minister Gustavo Mata said during the
signing ceremony that the hope was to create a new police force that would be “only and exclusively
in charge of protecting the environment.” But he stressed, “What’s needed here is money.”

Mata explained that a portion of the resources would go setting up the specialized police force, since
it would be a new security body in Costa Rica, a country that has no Army. “The idea is to open up
the positions and train them as needed, so our police officers have that knowledge (...) and devote
themselves to work on everything that has to do with protecting the environment,” he said.

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