

POLICY PAPER

GREEN CORRUPTION PREVENTION AND THE IMPLEMENTATION OF THE ECD

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The European Environmental Bureau (EEB) is the largest network of environmental citizens' organisations in Europe. It unites 190 civil society organisations from 41 countries, working for a better future where people and nature thrive together.

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Authors:

Frederik Hafen, Senior Policy Officer for Environmental Democracy, EEB

Margarida Martins, Policy Officer for Environmental Democracy, EEB

Maya Perera, Policy Officer for Renewable Energy, EEB

Reviewer: Federica Storci, University of Aberdeen

European Environmental Bureau

Rue des Deux Églises 14-16, B-1000 Brussels

Tel: +32 2 289 10 90

E-mail: eeb@eeb.org

EC register for interest representatives: Identification number 06798511314-27

International non-profit association - Association internationale sans but lucratif (AISBL)

BCE identification number: 0415.814.848

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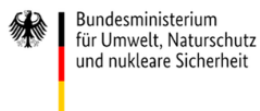
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SETTING THE SCENE

As of 21 May 2026, EU countries are required to transpose the [new Environmental Crime Directive](#) into national law, hopefully along the lines of [civil society's demands](#). Now that the law is in force, this report analyses the potential and shortcomings of the EU's framework in the fight against [green corruption](#).

Environmental crime is a major contributor to environmental damage in Europe. Most environmental crime is committed by corporate actors and linked to organised crime,¹ and is frequently enabled by corruption. While corruption prevention and prosecution remain mostly national competences in the EU,² a range of instruments and institutions have been developed at European level to combat corruption.

Anti-corruption has come into focus of EU politics in recent years. The [2025 Europol Serious and Organised Crime Threat Assessment](#) explains that corruption is embedded in the very DNA of crime – both as a criminal act in itself, but also as a facilitator for all types of serious and organised crime. Corruption erodes trust in public institutions, damages the delivery of public services, and creates a sense of unfairness.³ These effects are particularly damaging when combined with environmental crime, at a time when the triple planetary crisis⁴ demands strong public support for a green and just transition.

The EU has set minimum standards in areas such as anti-money laundering, whistleblowers protection, and public procurement, as well as a [new general Anti-Corruption Directive](#) (adopted on 29 April 2026). This new anti-corruption directive broadens the definition of corruption beyond bribery offences, introduces minimum criminal penalties and sanctions, and demands a minimum harmonized level of investigative tools and resources within EU countries. The EU also provides for sanctions against non-EU citizens in cases of serious corruption.

Beyond legislation, the EU plays a monitoring role and provides institutional oversight on implementation and enforcement. Corruption risks are assessed through dedicated sections in

¹ Nellemann, C. (Editor in Chief); Henriksen, R., Kreilhuber, A., Stewart, D., Kotsoyova, M., Raxter, P., Mrema, E., and Barrat, S. (Eds). 2016. *The Rise of Environmental Crime – A Growing Threat To Natural Resources Peace, Development And Security*. A UNEPINTERPOL Rapid Response Assessment. United Nations Environment Programme and RHIPTO Rapid Response–Norwegian Center for Global Analyses, www.rhipto.org. ISBN 978-82-690434-0-2 (print), ISBN 978-82-690434-1-9 (pdf).

² Article 83 of the Treaty on the Functioning of the European Union (TFEU) allows the EU to establish minimum rules regarding the definition of criminal offences and penalties if necessary to ensure the effective implementation of a Union policy, or in areas of particularly serious crime with a cross-border dimension resulting from the nature or impact of such offences or from a special need to combat them on a common basis.

³ 2025 Rule of Law Report/Communication: https://commission.europa.eu/document/download/0f7b852b-6b8a-4e21-8579-69db5386c6a2_en?filename=1_1_63910_communication_rol_en.pdf

⁴ OECD (2025), *Environmental Outlook on the Triple Planetary Crisis: Stakes, Evolution and Policy Linkages*, OECD Environmental Outlook, OECD Publishing, Paris, <https://doi.org/10.1787/257ffbb6-en>.

the EU's annual rule of law reports and the European semester country reports. Cooperation in the EU system is supported by institutions such as the new EU network against corruption, the OLAF anti-fraud office, Eurojust judicial cooperation, Europol joint police operations, and the European Public Prosecutor's Office (EPPO).

Nevertheless, the day-to-day responsibility, resources, and powers of corruption prevention and enforcement remains at the national level, reflecting EU countries' monopoly on matters of national security such as law enforcement and criminal justice. However, two areas involve stronger EU-level competences: the EU's own budget and the single market's financial services. **This report argues that environmental crime – given its transboundary nature and high corruption risk -should be treated similarly, with a stronger EU role in anti-corruption law enforcement.**

EU BUDGET

Where EU funds are involved, the Union has the competence to exercise significant oversight. Instruments such as the Protection of the Union's Financial Interests Directive, the system of early detection of economic operators, and the EPPO provide strong safeguards against the abuse of EU financing. This reflects the EU institutions' direct responsibility for managing its budget. For example, a [recent EPPO case](#) uncovered bribery linked to the approval of ineligible projects financed through EU fisheries funds in Bulgaria.

FINANCIAL SERVICES

Financial services represent a second area of enhanced EU competence, as the free flow of capital in the EU single market can facilitate corruption. These are addressed through extensive EU anti-money laundering legislation and the new Authority for Anti-Money Laundering and Countering the Financing of Terrorism. Clearly, the EU holds a lot of power in this area, with banking supervision through the European Central Bank and the European Banking authority. EU-level coordination is essential to monitor the flow of capital in the EU, as fragmented national rules risks creating loopholes and blind spots in the single market. Harmonised standards enable the effective prevention and detection of illicit financial flows such as bribery.

ENVIRONMENTAL CRIME

Environmental crime, although closely linked to corruption, is not yet subject to the same level of EU enforcement integration. It is primarily governed by the revised [Environmental Crime Directive \(Directive \(EU\) 2024/1203\)](#), and the more focused [Deforestation Regulation \(Directive \(EU\) 2023/1115\)](#).

The Deforestation Regulation explicitly incorporates corruption risks into due diligence requirements, including the assessment of governance conditions and status of anti-corruption legislation in third countries. The Environmental Crime Directive takes a broader approach, recognising corruption as integral to organised environmental crime: it recognises that offences may occur with the “tolerance or active support” of public authorities (recital 5, Environmental Crime Directive).

This report analyses how corruption prevention and enforcement are addressed within the Environmental Crime Directive, identifies where significant gaps remain, and provides recommendations to EU countries on how to tackle corruption risks that undermine environmental protection.

ANALYSIS OF THE EU ENVIRONMENTAL CRIME DIRECTIVE’S RELEVANCE FOR ANTI-CORRUPTION EFFORTS

The Environmental Crime Directive contains several provisions relevant to anti-corruption efforts. These can be categorised into four main areas:

1. **Role of the EU:** recognition of corruption as part of transboundary organised crime and clarification of the EU’s competences and its limitations in fighting corruption;
2. **Prevention:** a broad but partly non-binding framework covering coordination and data collection, as well as references to deterrence;
3. **Detection:** minimum standards for investigative tools and acknowledgment of the role of individuals and NGOs in identifying environmental crime;
4. **Enforcement:** rules on liability and sanctions, determining who can be held liable for what and how offences are punished.

(All numbering in the following text refers to provisions of the corresponds to provisions of the ECD.)

ROLE OF THE EU:

Under the EU treaties, the Union has the power to establish minimum rules for serious cross-border crimes, explicitly including corruption and organised crime (article 83, Treaty on the Functioning of the European Union).

The first Environmental Crime Directive was adopted in 2008 and significantly revised and expanded in 2024. The revision process followed a 2019-20 evaluation by the European Commission, which found that the original Directive had limited impact in practice. Over the preceding decade, few environmental crime cases had been successfully investigated or sanctioned, penalties were often too low to be dissuasive, and cross-border cooperation remained inconsistent.

In response, the assessment and revision of the Directive was prioritised under the EU Security Union Strategy and the EU Strategy to tackle Organized Crime (2021-2025). The updated ECD significantly expands the EU’s role by strengthening minimum standards, broadening the scope of offences and improving the harmonisation of criminal law definitions across EU countries.

Reference	Content	Analysis and relevance to anti-corruption
Recital 3:	Emphasises the need for effective cross-border cooperation to combat environmental crime.	Particularly relevant where corruption facilitates illegal imports in the EU and the circulation of illicit and harmful goods within the single market.
Recital 28:	Highlights the links between organised crime and corruption, money laundering, cybercrime, and fraud , including risks of inaction or complicity by public officials.	This reflects the high corruption risks in permitting, licencing, and inspection processes managed by public authorities (c.f. ‘administrative silence’).
Article 12:	A technical article establishing rules on jurisdiction , including optional jurisdiction over offences committed abroad for the benefit of EU-based legal persons.	Although establishing of jurisdiction for offences committed abroad is only optional under the Directive, establishing jurisdiction in such cases would strengthen accountability for corruption linked to EU actors operating outside of the Union.
Article 19 - 20:	Sets out obligations for coordination and cooperation between national authorities within and between EU countries.	Essential given the cross-border and organised nature of environmental crime and its close links to corruption (Europol estimates that at least 60% of criminal networks engage in corruption).

PREVENTION

The ECD outlines a broad – though partly non-binding – framework for prevention, combining enforcement, coordination, awareness-raising, and data collection measures. However, the EU’s competences in this area are weak, resulting in relatively weak obligations for Member States.

Reference	Content	Analysis and relevance to anti-corruption
<u>Recital 59:</u>	Encourages due diligence standards, information and awareness-raising campaigns, and compliance officers . Also provides guidance on establishing mandatory due diligence schemes under article 7(2)(i).	These measures are widely recognised as effective tools to prevent corruption more broadly, including in environmental contexts
<u>Recital 61:</u>	Encourages strengthening institutional capacity , and lists a series of measure to facilitate this, including specialised courts, investigative units, and training. <i>(Non-binding as a recital rather than an article due to EU competence limits.)</i>	Technical expertise in enforcement reduces corruption risks, as complexity in permits, opaque and often heavily subcontracted supply chains, cross-border activities, and data can obscure corrupt practices.
<u>Recital 62:</u>	Encourages improved cooperation between national authorities across administrative, civil, and criminal domains.	Multi-agency cooperation is essential due to overlaps between environmental crime and other offences such as corruption, fraud, and money laundering.
<u>Article 21 and recital 65:</u>	Requires national strategies covering national anti-environmental crime policy objectives, coordination of competent authorities, and specialisation of enforcement professionals including resource allocation. First strategies due by May 2027.	National strategies should explicitly integrate anti-corruption measures and frameworks.
<u>Article 22, 23 and Recitals 66, 67, and 68:</u>	<p>Establish obligations on data collection, reporting, and standardisation at EU level.</p> <p>Article 22 obliges at least five different data points to be transmitted annually and tasks countries to publish a review and the Commission a full report every three years.</p> <p>Article 23 grants the Commission powers to detail the format of the data needed.</p> <p>Recitals 66-68 provide further interpretative guidance.</p>	<p>These data sharing obligations represent a key step forward, but risk underestimating the scale of green corruption.</p> <p>At present, neither the true scale of damage from environmental crime in Europe nor from environmental corruption is known today. European legislation and reports rely on global data collected by Interpol rather than regional data on Europe specifically.</p> <p>As environmental crime is usually organised crime and does not operate in isolation, data collected on environmental crime needs to include connected offences, e.g. bribes, misappropriation, money laundering, influence peddling, and abuse of public office.</p>

<p><u>Article 5:</u></p>	<p>Sets sanctions for natural persons, providing minimum levels for the maximum duration of imprisonment in national criminal codes by environmental crime.</p> <p>E.g., a national judge deciding the sentence for an environmental crime which causes death must be allowed to sentence imprisonment of up to ten years.</p>	<p>This article ensures sufficiently dissuasive penalties.</p> <p>However, some thresholds (e.g. three years, for some crimes) fall below the ‘serious crime’ threshold per the United Nations Convention against Transnational Organised Crime. This may limit the use of special investigation techniques relevant to some cases of police organised crime and corruption.</p>
<p><u>Article 6 and recital 38:</u></p>	<p>Outline liability of natural persons, clarifying that prosecuting companies does not exclude individual liability: where a company is prosecuted for a crime, natural persons (including corporate board members) can be tried as well.</p>	<p>This is a critical clarification towards ensuring penalties are dissuasive, as corruption involves individuals even when offences are committed through corporate structures.</p>
<p><u>Article 7:</u></p>	<p>Establishes sanctions and penalties for legal persons (i.e. companies).</p>	<p>Corporate liability, including reputational consequences, is key to deterrence.</p>
<p><u>Article 16:</u></p>	<p>Requires a minimum level of prevention measures for environmental crime such as research and awareness-raising campaigns.</p>	<p>These measures should explicitly address links between environmental crime and corruption. They should support the role of non-state actors, in particular civil society, academia and media in investigative reporting, evidence-based research and learning, detection, and initiating litigation.</p>
<p><u>Article 17:</u></p>	<p>Requires the EU countries ensure adequate resources to fight environmental crime (qualified staff and sufficient financial, technical and technological resources).</p>	<p>This provision acknowledges the complexity of tackling environmental crime and the linked anti-corruption work but lacks binding minimum resource levels. As highlighted in this paper’s gap analysis, effectiveness will depend on national implementation.</p>
<p><u>Article 18:</u></p>	<p>Requires a minimum level of training for judges, prosecutors, police and judicial staff but within the limits of each national judicial system.</p>	<p>Training should be particularly mindful of the corruption risk linked to environmental crime, as well as protection for whistleblowers.</p>

DETECTION

Detection largely remains the responsibility of national authorities. Inspections, the granting of authorisations, and permitting/licensing processes carry significant corruption risks, while

NGOs, journalists, and activists play a key complementary role in the detection of all environmental crime including those linked to separate corruption offences.

(all numbering corresponds to the [text of the ECD](#))

Reference	Content	Analysis and relevance to anti-corruption
<u>Recital 53:</u>	Provides interpretive guidance on the availability of investigative tools under article 13. While recognising the limitations set by national law, it highlights certain surveillance techniques and puts environmental crimes on par with organised crime and serious crime.	Recognising the seriousness of environmental crime allows for the proportionate use of investigation techniques needed to uncover related corruption. However, this stands in contrast with Article 5's lower penalty/sanction levels.
<u>Recital 54:</u>	Adds emphasis to the obligation to provide support measures to whistleblowers and denouncers of environmental crime under article 14.	Civil society, activists, and local actors are often at the forefront in early detection of changes to the environment, including of corruption-linked offences. This is exemplified by the corruption scandals which toppled the Portuguese government in 2025.
<u>Recital 55:</u>	Expands on the protections available to whistleblowers and reporters of environmental crime in recital 54, offering interpretative guidance on what form support could take: e.g. the same level of procedural rights and protection from prosecution as is provided for in other areas of criminal law.	The Directive's provisions are not very strong on protecting denouncers and whistleblowers mostly relying on national law. This recital should motivate countries to do better. Protection gaps persist, especially for environmental defenders who may fall outside of formal whistleblower definitions but face high risks of intimidation, harassment, threats, and violence.
<u>Recital 56:</u>	Encourages anonymous reporting mechanisms in EU countries where they are not yet introduced.	While not mandatory, this would improve detection of corruption by lowering reporting barriers and should motivate national debates on the topic.

ENFORCEMENT

While corruption offences are regulated as stand-alone offences in every EU country, several ECD provisions are directly relevant to environmental crimes with high corruption risks.

(all numbering corresponds to the [text of the ECD](#))

Reference	Content	Analysis and relevance to anti-corruption
<u>Recital 10:</u>	Specifically highlights the role of corruption in wrongfully obtained	Environmental crime is often enabled by white-collar crime and corrupt administrative

	authorisations, licenses and permits.	processes. Operation Influencer and the Barroso mining sites in Portugal are a particularly egregious example of illegal permits paid for by bribes.
<u>Recital 12:</u>	Clarifies that the criminal liability of public bodies is left up to the Member State.	Individual public officials abusing their entrusted power can be prosecuted as natural persons for their role in environmental crime, but the directive does not oblige Member States to establish separate liability for the public bodies themselves as legal persons.
<u>Recital 20:</u>	Gives interpretative guidance on ‘negligible quantity’ thresholds under article 3(8), particularly focusing on illegal timber (article 3(2)(p)) and proposes net mass, volume, or conservation status as guides.	Illegal deforestation relies on permits for logging as well as imports. When these permits are obtained illegally, corruption plays a major role. It is advisable to consider conservation status when deciding whether an amount passes the criminal threshold or not. The article should be interpreted with EU deforestation rules as guidance.
<u>Recital 29:</u>	Gives interpretative guidance on inciting, aiding, abetting and attempting a crime under article 4 and emphasises that these should also constitute crimes in and of themselves. The recital also explains why the early stages of a project carried out without a proper Impact Assessment does not constitute an “attempt” but is rather included in the definition of the “execution of projects” of the Environmental Impact Assessment Directive (2011/92).	This is a valuable clarification because where development consent for big infrastructure or industrial constructions is obtained through corruption, the early stages of the project such as preparing the grounds for construction are covered through article 3(2)(e) as an integral part of a project/ construction's execution in the early stages. Attempt is, therefore, not needed as a separate category to criminalise the initial stages of a project before the first drop of concrete is poured.
<u>Recital 48:</u>	Encourages Member States to enable authorities to order the immediate cessation of unlawful conduct or to prevent such a conduct.	Prohibitory injunction orders are regulated nationally but recital 48 emphasises their usefulness. In cases where an authorisation, license, or permit was obtained through bribes, the immediate cessation of the wrongly authorised activities can prevent further environmental damage.
<u>Article 3(2):</u>	This is a central provision, defining the minimum list of criminal offences under the Directive.	The omission of IUU (e.g. overfishing, and fishing of protected species or in protected areas) risks weakening responses to corruption risks in fisheries, e.g. bribery and

	Note that while the list covers most offences, Illegal, Unreported, and Unregulated Fishing (IUU) is not included.	falsification of quotas, both of which are serious concerns worldwide. The most egregious violations of fishing quotas and permits should be criminalised, to combine the dissuasive effect of corruption sanctions with criminal charges of environmental crimes.
Article 8:	Gives a minimum list of aggravating circumstances for criminal offences in the Directive, including offences involving public officials.	This article obliges EU countries to integrate corruption considerations into their environmental crime frameworks, considering forgery and malfeasance by public officials as an aggravating factor. More broadly, anti-corruption legislation needs to be interlinked with legislation on environmental crime to adequately cover acts of public officials which gravely damage the environment.

FILLING THE GAPS – RECOMMENDATIONS TO NATIONAL IMPLEMENTATION:

The EU’s Environmental Crime Directive acknowledges the links between environmental crime, organised crime, and corruption, and includes many relevant provisions. However, corruption prevention is not the Directive’s primary focus, and enforcement powers remain largely with national authorities. When read in conjunction with EU anti-corruption legislation, the Environmental Crime Directive does manage to make many of the necessary connections between organised environmental crime and corruption, **but significant gaps persist. EU countries should be aware of these gaps when implementing the new Directive.**

Given the EU’s limited competences in criminal policy and enforcement, the responsibility for turning these provisions into effective action lies with national authorities. While this reflects EU countries’ sovereignty over criminal law, enforcement, and prosecution, it also means that key elements – including sanctions, liability rules, resource allocation, and data collection – remain insufficiently defined at EU level.

However, these gaps are critical for tackling corruption, and EU countries must address them through their national implementation.

Outlined below are recommendations to address several of the weakest elements of anti-corruption measures in the existing EU environmental crime framework.

1. INTEGRATE ENVIRONMENTAL CRIME INTO GENERAL ANTI-CORRUPTION LEGISLATION AND POLICIES

The ECD is not the right legal instrument to mandate the prioritisation of organised environmental crime within broader anti-corruption legislation, and the EU's new Anti-Corruption Directive fails to explicitly address this link.

EU countries should therefore take proactive steps to integrate environmental crime into national anti-corruption strategies, legislation, and enforcement priorities. All EU countries are parties to the United Nations Convention against Corruption (UNCAC), and UNCAC [Resolution 11/9](#)⁵ calls for strengthened integrity frameworks specifically in institutions involved in environmental protection and targeted investigative capacity for environmental crime. **To this end, EU countries should take steps to:**

- Address corruption risks in environmental policies; and
- Recognise environmental crime as a priority area in anti-corruption frameworks.

2. STRENGTHEN DATA COLLECTION AND INFORMATION SHARING

The data collection and transfer obligations in the ECD are weak, reflecting EU countries' reluctance to exchange sensitive data potentially relevant to national security. However, without reliable, EU-wide data to illustrate the scale of the problem, designing an adequate policy and enforcement response is difficult.

This pertains to all environmental crimes but is equally important for corruption to inform better integrity frameworks for civil servants. At present, most publications and speeches on environmental crime in Europe cite Interpol data about the scale and increase of environmental crime worldwide, rather than data specifically about the scale of the problem in Europe. We simply do not have reliable EU wide data about transboundary organised crime. As the prices of bribes are market driven, stumbling around in the dark with non-existing EU crime statistics, allows organised criminal networks to shop for the jurisdictions with the cheapest prices.

⁵ Resolution 11/9 of the 11th Conference of State Parties to the to the United Nations Convention against Corruption, available here https://track.unodc.org/uploads/documents/UNCAC/COSP/session11/COSP11_resolutions_unedited.pdf

All EU countries should:

- treating environmental crimes as a separate statistical category;
- collect reliable data on cases which involve both corruption offences and criminal damage to the environment; and
- improve data sharing at the EU level.

3. ENSURE ENVIRONMENTAL CORRUPTION OFFENCES ARE PROSECUTED FULLY UNDER BOTH ANTI-CORRUPTION AND ENVIRONMENTAL CRIMINAL LAW

While the ECD acknowledges the interconnected nature of environmental crime and corruption offences, enforcement can prioritise more established criminal offences. Criminal proceedings for environmental offences should address corruption, money laundering, cyber-crime and document fraud and, in relation to business activities, the intention of the offender to maximise profits or save expenses. However, environmental crimes are often complicated, difficult to prove, and in most jurisdictions, lack a large body of case law to draw on. This leads public prosecutors to rely on more established anti-fraud and anti-corruption frameworks.

However, where corruption facilitates environmental harm, prosecutions should also include environmental criminal charges. Failing to do so risks treating green corruption as a purely financial offence and overlooking its broader societal and ecological impacts. It is crucial to remember that green corruption is not a victimless crime and should not go unpunished in all its elements. The directive also recognises that some environmental criminal offences are committed with the tolerance or active support of the competent administrations or officials performing their public duty, often in the form of corruption.

EU countries should ensure that:

- Environmental damage is fully reflected in charges and sentencing; and
- Prosecutors systematically consider environmental offences alongside corruption-related ones where relevant.

4. REDUCE LEGAL FRAGMENTATION AND IMPROVE DEFINITIONS IN CRIMINAL LAW STANDARDS [MUCH IMPROVED BUT STILL LACK PRECISION]

The revised directive expands the list of environmental offences, but important legal definitions and specifications remain undefined and unharmonised. As a result, EU countries will continue to diverge in how they interpret and prosecute environmental crime.

As environmental crime is organised crime, these inconsistencies will continue to be exploited by criminal groups including through corrupt methods.

EU countries should therefore aim, as far as possible, to:

- Adopt clear and precise definitions in national law; and
- Support further EU-level harmonisation in future revisions of both the EU's Environmental Crime Directive and the Anti-Corruption Directive.

Future evaluations and assessments of both Directives will likely underline these missing harmonisations and mark them for future improvements.

5. INCREASE RESOURCES AND STRENGTHEN CROSS-BORDER COOPERATION ACROSS NATIONAL AUTHORITIES

A particularly weak part of the EU's framework on environmental crime are the minimum standards on resources for and cooperation between national authorities. The Directive requires EU countries to provide 'adequate' resources and to consider cross-border cooperation, but it sets no concrete standards for what 'adequate' looks like. This leaves significant gaps in enforcement capacity across countries.

Furthermore, while the need for cross-border cooperation is recognised in the recitals, the operational part of the directive remains weak only calling for a that authorities consider referring information on cross-border crimes to others rather than obliging them to do so. The newly adopted EU anti-corruption directive mirrors this wording without demanding more from EU countries.⁶ EU bodies such as Europol, Eurojust, OLAF, and the EPPO play a crucial role, but they cannot replace direct, operational cooperation between national authorities.

EU countries should use their national strategies (due by May 2027) to:

- Allocate sufficient financial and human resources to specialised environmental crime units;
- Strengthen expertise at the intersection of environmental crime and corruption enforcement; and
- Establish routine cooperation mechanisms with national authorities' counterparts in other countries.

⁶ Article 24 of Provisional trilogue agreement [https://www.europarl.europa.eu/RegData/commissions/libe/inag/2026/01-09/LIBE_AG\(2026\)782345_EN.pdf](https://www.europarl.europa.eu/RegData/commissions/libe/inag/2026/01-09/LIBE_AG(2026)782345_EN.pdf)

6. STRENGTHEN THE ROLE OF THE PUBLIC AND CIVIL SOCIETY

The Environmental Crime Directive recognises the role of the ‘public concerned’ (article 15, recitals 57-58), drawing on well-defined Aarhus Convention legal doctrine, it stops short of requiring EU countries to grant them further procedural rights in criminal proceedings.

Environmental NGOs are automatically considered part of the “public concerned” under the directive and, in principle, may participate in cases where they have an interest, including as civil parties. However, these provisions are significantly weakened by the qualifications in article 15 and the recitals: Member States are not required to introduce new procedural rights. In practice, this makes public participation conditional on existing national rules. Countries are only obliged to extend third party rights to criminal proceedings in for environmental offences where national criminal law already provides that right. All countries without these pre-existing rights can effectively ignore article 15.

Where corruption is intertwined with environmental crime, the public interest in the case is enormous as it usually concerns both damage to a public good (the environment) and misuse of public funds or public office and a destruction of trust in institutions. Allowing the “public concerned” to represent environmental interest in criminal cases would help balance the scales.

EU countries without existing national rules facilitating public involvement in criminal proceedings should:

- Understand this gap and take steps to close it, to ensure a complete and robust framework for prosecuting environmental crime.
- Work to expand procedural rights for ‘the public concerned’ to help represent environmental interests.

CONCLUSION:

As recently highlighted by [Earth League International](#), anti-corruption efforts must be central in combatting environmental crime, as “the two are inextricably linked in every location and along every step of supply chains.”

Environmental crime is organised crime and rarely occurs in isolation as this [large-scale 2025 Europol operation](#) showcases. It frequently depends on corruption in areas such as permitting, licensing, and inspections. While law enforcement remains a primarily national competence, the

revised EU Environmental Crime Directive in combination with the new Anti-Corruption Directive provide a foundation for a more coherent Union-wide response to green corruption.

With the transposition deadline of 21 May 2026, the effectiveness of this framework will now depend on national implementation and importantly, closing the identified legal gaps as soon as possible. **To reduce environmental crime enabled by corruption, EU countries need to:**

- Better **integrate environmental and anti-corruption** legislation and policies,
- Improve **data collection and transparency** towards creating reliable crime statistics,
- Ensure green corruption is **fully prosecuted for both its corruption and environmental offences** by empowering prosecutors to be bold with the choice of grounds for prosecution,
- Reduce **legal fragmentation** by tightening the gap between diverging and vague legal definitions,
- Strengthen **resources and expertise** in national authorities while facilitating more **cross-border cooperation**, and
- Empower the **public, civil society and NGOs** in their role detecting and reporting green corruption.

Addressing these issues will be essential to tackling green corruption and ensuring that environmental protection efforts are not undermined by organised crime and systemic corruption.



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