

**Abstract**

**Roberto Pennisi, Magistrato Procura Nazionale Antimafia**

(Abstract translated from Italian language)

In the last years, due to the *inputs* coming from the EU and to the increasing level of criminal attacks to the environment, Italy has been improving its system both at juridical and organizational level.

At juridical level, the European Directive n. 2008/99 and n. 2009/123 have been partially implemented. Reference is made to the Environmental Code (D lgs. 152/2006) – which foresees the crime of “organized activity for the illicit trafficking of waste” – and the legislative decree 121/2011 – which foresees the liability of corporate bodies in the above mentioned crime.

The lack of the prevision of a type of offence of “Environmental Disaster” is serious.

At organizational level, the most important issue is the introduction of the above mentioned crime foreseen by the Environmental Code within the jurisdiction of the DDA (Direzioni Distrettuali Antimafia), which are the Prosecutors’ Office in charge of serious crimes also involving organized crime. The effect of this provision has been immediate, as well as the improvements in the investigation activities. Also the effects of the coordination activity of the National Antimafia Bureau have had significant effects.

The results of the investigations show that beyond the organized crime there is an “elite” of waste traffickers which is becoming a sort of headquarters for criminal distortion of the *green economy*. There is a massive infiltration of the organized crime into the management of activities related to the wind-power, the photovoltaic and the biomass energy sector. Another emerging illicit activity is related to the transnational trafficking of waste.

The differences existing between the main local criminal organizations in Italy – Camorra, ‘Ndrangheta e Cosa Nostra – in the management of this illicit activity have also been detected.