



Financial Market Stability and Integrity

Guidance Manual

# Environmental and Natural Resource Crimes Risk Assessment

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# World Bank Group National Money Laundering and Terrorist Financing Risk Assessment Toolkit

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### **Important reminders for the Working Group (WG)**

- Base your assessments on group discussions to ensure the inclusion of a wide array of perspectives. All the members of the Working Group should contribute to discussions, as well as to the overall assessment, because the inclusion of all viewpoints and perspectives will contribute to a higher-quality report.
- Keep a record of the key arguments, findings, and conclusions of your discussions. These notes will be important in documenting the analysis and the support for the conclusions and findings that will feature in the final report. Assign a notetaker for this task.
- The quality of the output depends on the quality of the input. An unrealistic assessment will reduce the credibility of the assessment and will limit the benefits the jurisdiction can derive from the assessment.
- Unrealistic assessments by the WG may affect the overall quality of the report, alter its credibility, and limit the takeaways of the National Risk Assessment (NRA) of money laundering/terrorism financing (ML/TF). Therefore, it is recommended that you clearly identify, during the assessment, any problems, weaknesses, or gaps by determining what is missing and what is not working. Such an approach will help you draw up realistic corrective action plans following your assessment. These should allow you to identify the priority actions and establish a strategic agenda for implementation, which will depend on human, technical, and financial resources available in the jurisdiction.
- Support all your findings and conclusions with clear logic and demonstrative analysis, as well as documented evidence, to demonstrate the basis for each rating.
- Prepare team reports on the key findings and conclusions that are clearly based on references from underlying sources. These reports will become the building blocks of the overall NRA report.

## 1. OBJECTIVES OF THE ENVIRONMENTAL and NATURAL RESOURCE CRIMES RISK ASSESSMENT MODULE

The Environmental and Natural Resource Crimes Risk Assessment Module (Module 10) aims to do the following:

- **Identify the main environmental and natural resource crime *threats*** by establishing a typology of the criminality in the country and identify the crimes' extent and consequences, especially financial.
- **Assess *vulnerability* to financial crimes in the environmental and natural resource sectors**, based on the available environmental crime and related money-laundering (ML) controls as well as such country context factors as the legal and regulatory framework.
- **Formalize an action plan** to strengthen control of environmental and natural resource crime and related ML and reduce vulnerability to ML in natural resource sectors.

The outcome of the Environmental and Natural Resource Crimes Risk Assessment should be used to inform policy measures and improve data collection.

## 2. UNDERSTANDING THE ENVIRONMENTAL and NATURAL RESOURCE CRIMES RISK ASSESSMENT MODULE

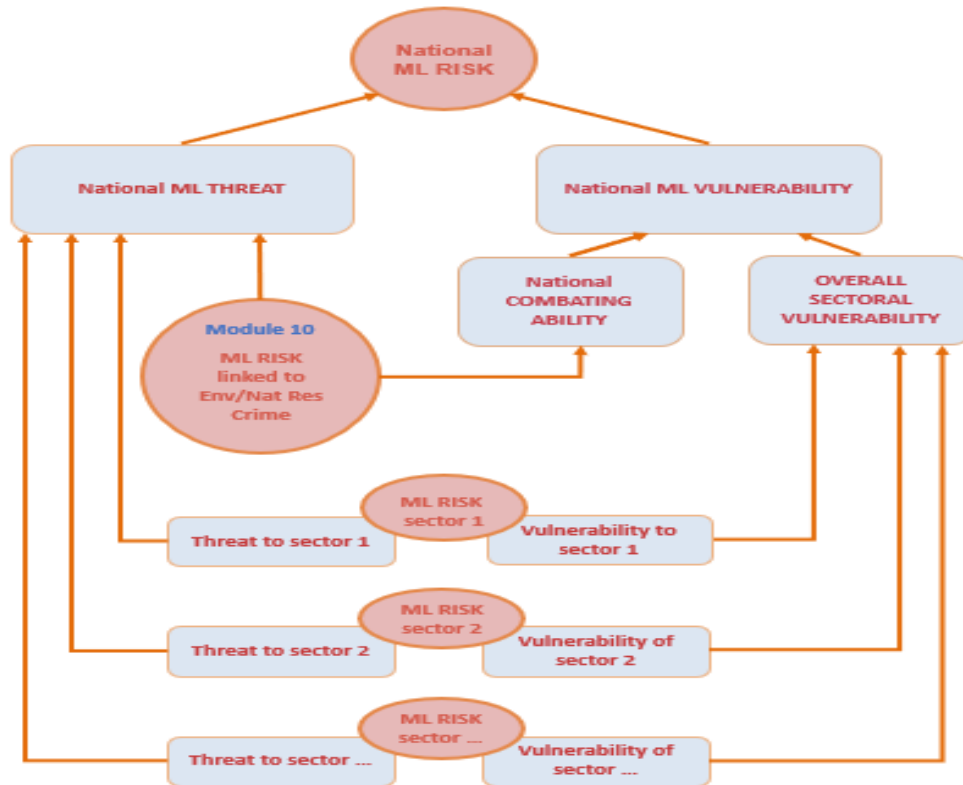
### 2.1 Context of the Environmental and Natural Resource Crimes Risk Assessment Module in the National Risk Assessment of ML Tool

**Module 10, the Environmental and Natural Resource Crimes Risk Assessment module, falls within the National Risk Assessment (NRA) of ML** (see figure 1.a). Countries are exposed to ML through many types of environmental and natural resource crime. Module 10 will collect and analyze the levels of *threat* and *vulnerability* to these crimes in your country and, as part of the NRA, will aggregate them to provide a good understanding of the country's ML risks.

It should be noted that the risks of *terrorism* and *terrorism financing* arising out of environmental and natural resource crimes should be addressed as part of Module 8 "Terrorism Financing."



Figure 1.a. The Environmental Crime Risk Assessment in the Structure of the National Risk Assessment



Note: ML = money laundering. A “sector” in this chart refers to reporting entities and private sector professions that can be used for ML purposes, such as banking, insurance, lawyers or accountants.

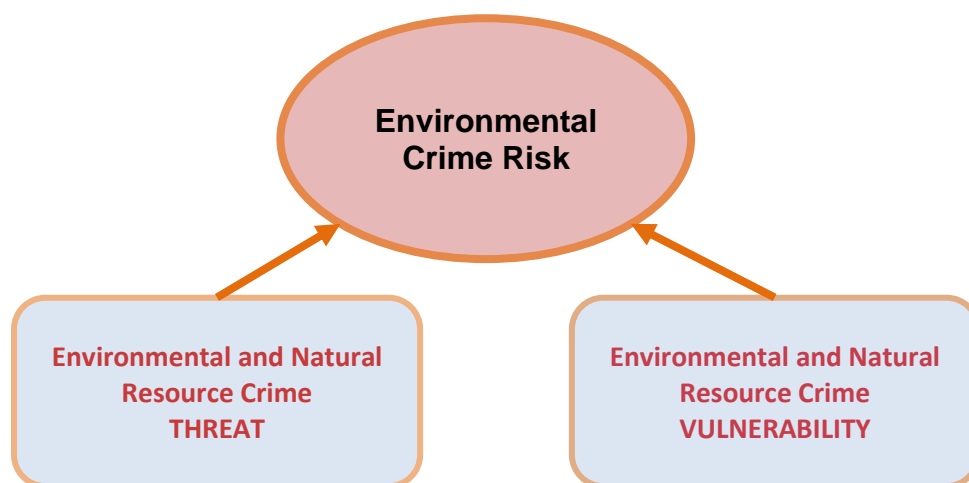
## 2.2 Insights of the Environmental and Natural Resource Crimes Risk Assessment Module

Figure 1.b shows the structure of the Environmental and Natural Resource Crimes Risk Assessment Module. The module consists of two components: the threat branch and the vulnerability branch. Together they inform the risk that ML will arise from crimes related to the environment and natural resources in your country. These branches are called submodules and are associated with Excel files. Each country will fill out a submodule Excel spreadsheet for threat and a submodule Excel spreadsheet for vulnerability.

- ***The Environmental and Natural Resource Crimes Threat Spreadsheet*** aims to identify and document typologies of criminal activity related to environmental and natural resource sectors in the country, including internal or external threats, to identify their extent and consequences, mainly in terms of ML. These are identified using enforcement data (investigations, court rulings, and so on) and open-source information (national or regional typology, journalistic investigation, academic publications, and so on).
- ***The Environmental and Natural Resource Sectors Vulnerability Spreadsheet*** aims to determine the strength of the legal provisions, preventive measures, and controls to ensure that the legal

framework is effectively implemented, control measures are effectively monitored, and gaps and vulnerabilities are addressed, within the country context.

**Figure 1.b. The Big Picture of the Environmental and Natural Resource Crime Risk Assessment Module**



### 2.3 Flexibility of the Module

The module includes various tables as well as many factors (**variables** for the vulnerability assessment, **indicators** for the threat assessment). This information gives Working Group (WG) assessors a wide range of options, which they may find useful in making a realistic and comprehensive assessment. Having so many options may seem somewhat daunting, especially for jurisdictions that find it difficult to collect appropriate data in sufficient quantities. However, this apparent complexity is misleading, because the module offers assessors a large measure of flexibility, making it easy for them to adapt the assessment to their own situation. Assessors can skip factors that are less relevant in the context of their country (or for which they could not collect data in sufficient quantities) and choose the ones that are the most relevant in terms of data and information collection.

### 2.4 Working Group Composition

Given the broad scope of the threat and vulnerability assessment variables, it is necessary to seek input from a wide range of stakeholders. In forming the WG, consider obtaining representation from the following:

- Financial intelligence unit
- Customs
- Anti-corruption agency
- Prosecutor's office
- Ministries in charge of the mining extractive sector

- Police (specialized units on mining offenses and organized crime)
- Representatives of the private sector; dealers in precious metals and, when appropriate, an official buyer
- Representatives of the nonprofit sector, including associations for good governance in the mining sector
- National representative of the Extractive Industries Transparency Initiative (EITI)
- Fiscal administration—Ministry of Finance
- Ministry of the environment—Environmental Management Agency

If persons in some roles are not available to join the WG, then holding expert group meetings will be important to ensure all perspectives have been obtained. When this module assessment is being conducted as part of the full anti-money-laundering/countering the financing of terrorism (AML/CFT) risk assessment, it will be important that there is close coordination with the threat and vulnerabilities group that will be working on modules 1 and 2.

### 3. BIG PICTURES AND STRUCTURES OF THE THREAT AND VULNERABILITY ASSESSMENT SUBMODULES

#### 3.1 The National Threat Submodule in the Big Picture

The threat submodule assumes that the environmental and natural resource crime threats can be assessed through quantitative and qualitative information, informing **indicators** based on actual evidence of the criminality (such as investigations and court rulings). The submodule leaves aside the consideration of the country's ability to combat this criminality (by deterrence and preventive measures), which is dealt with in the vulnerability submodule.

The WG will use those indicators to assess the threats by analyzing two elements: the **likelihood** (that is, the probability that a crime occurs in the country) and the **impact** (that is, the consequences in terms of resource depletion and economic or fiscal losses) from crimes (see section 7: Detailed Instructions on How to Use the Excel Template ). The interaction of these two aspects will yield the threat assessment for each type of crime.

At the end of the threat assessment, the country is expected to have a good understanding of criminal threats to various sectors (for example, wildlife, forestry, and mining) and their implications in terms of ML, as well as the overall crime threats at a national level.

When a country cannot supply full data on one or more of the required indicators or lacks the ability to collect these data during the assessment, the WG should use the quantitative and qualitative information that is available to inform the indicators as completely as possible. In such cases, strengthening existing frameworks or establishing new frameworks for future data collection should form a key element in the country's action plan.

Figure 2 shows an example of a threat evaluation spreadsheet. Detailed information on the submodule and the associated Excel spreadsheet are showcased at section 4 and 5 and in appendix A.1.

Figure 2: Insight of the environmental crime threat evaluation spreadsheet

Environmental Sector Offense (the list below is provided as an example - update the items below as appropriate)	Number of Administrative Sanctions / Fines	Value of Admin Sanctions / Fines Imposed	Number of Suspicious Transaction Reports filed	Number of Investigations	Number of Prosecutions	Number of Convictions	MLA Requests Sent (or any other international information)	MLA Requests Received (or any other international information)
<b>Wildlife Crime</b>								
Poaching								
Use of prohibited equipment or methods								
Taking of restricted wildlife								
Violation of seasonal restrictions								
Illegal possession of wildlife								
Illegal processing of wildlife								
Illegal export								
Illegal import								
Illicit supply and sale								
Illegal consumption								
Corruption linked to wildlife (fauna) crime								
Fraud linked to wildlife (fauna) crime								

J	K	L	M	N	O	P	Q	R
Jurisdictions Linked to MLA (or any other international information)	Number Linked to ML Case	Number Linked to Tax evasion	Seizures / confiscations	Estimated Value	Qualitative Information / Notes	Likelihood of Crime Occurring	Impact of Crime	Overall Threat
						Almost Certain	Major	Extreme
						Notes:		

### 3.2 The National Vulnerability Submodule in the Big Picture

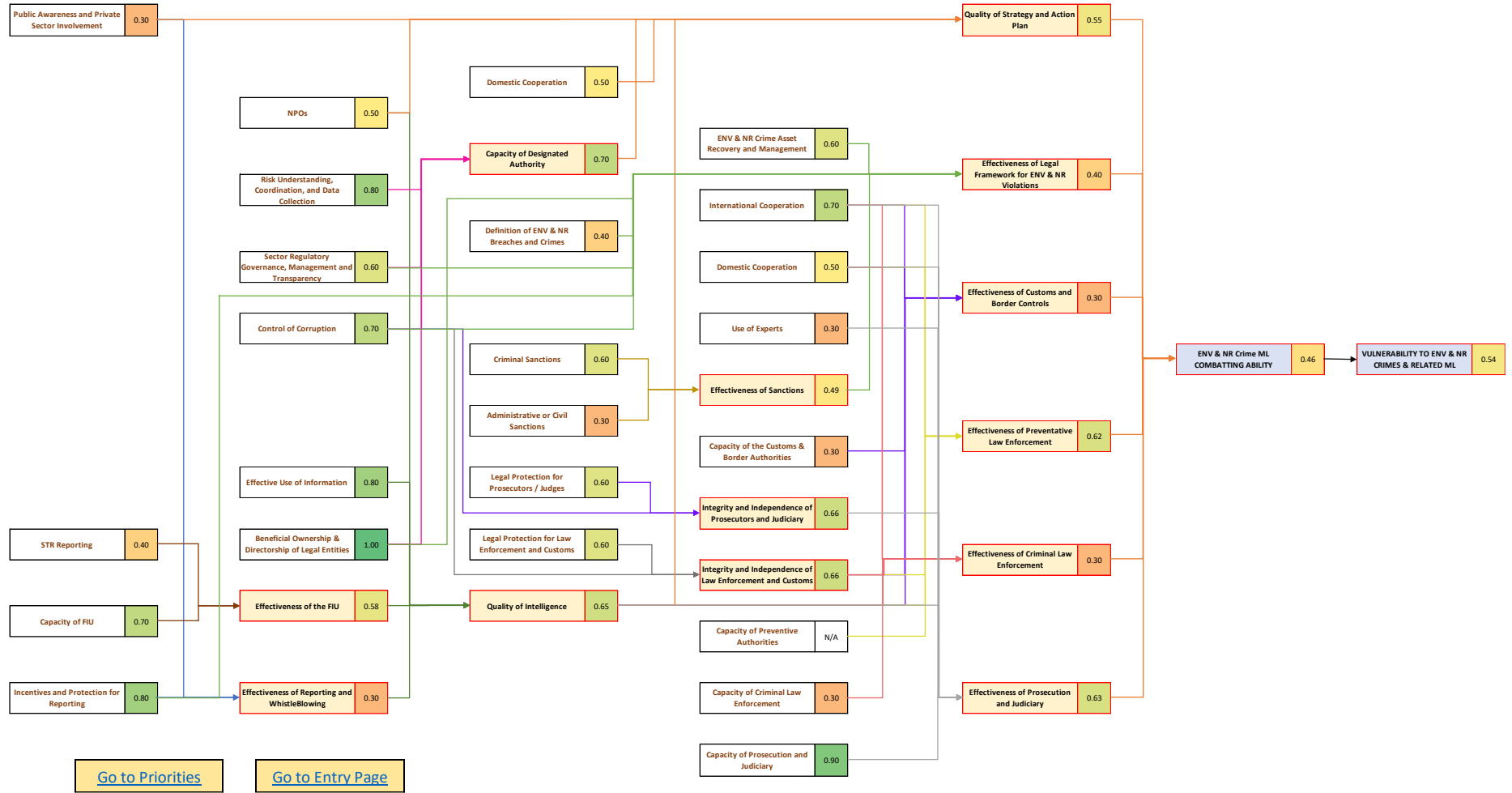
#### *In a nutshell*

The national vulnerability submodule assesses the defense and reaction mechanisms available for combating environmental and natural resource sector crimes.

The national vulnerability of a country to financial crimes in the environment and natural resource sectors is evaluated through **factors called input variables**. Each input variable captures the quality of the legal framework elements and law enforcement elements.<sup>1</sup> These variables are then “aggregated” to constitute **intermediate variables** that lead to the rating of the **national vulnerability** to crime in the environmental and natural resource sectors and associated money laundering. **Input variables** (uncolored cells), **intermediate variables** (orange cells), and **national (or global) vulnerability** (blue cells) are showcased in figure 3. below.

<sup>1</sup> The importance and the impact of any single factor often depend on the existence, or absence, of other factors. This module has been developed to reflect the key factors determining the vulnerability of a country and how they interact.

**Figure 3. Vulnerability Map**



For example, in this module, the variable *Definition of Environmental Breaches* assesses whether environmental offenses (notably, wildlife crimes; forestry crimes; illicit, unreported, and unregulated [IUU] fishing; illegal mining and trade in mineral products; and hazardous waste dumping and trafficking) are defined comprehensively in the country's legal and regulatory framework, and whether it is possible to enforce laws in place and obtain convictions on that basis. It is one of the 23 input variables of the submodule.

**The WG should only inform the ratings of input variables, and the system will automatically determine the grades of intermediate variables.**

It should be noted that this module is meant to be used by all countries interested in better understanding how environmental and natural resource crimes affect money laundering in their jurisdiction, whether they are source, transit, or destination countries for environmental and natural resource crimes. Flexibility has been brought into the module so that the tool can be used by all jurisdictions regardless of their profile. Two variables of the module have been considered less relevant depending on the country profile for a particular environmental or natural resource crime type, and the WG may decide to skip the analysis of these identified variables and apply a "not applicable" rating. In addition, when deciding the final rating of an input variable, the WG may assign a greater or lower weight to a variable assessment criterion to better reflect the jurisdiction's profile (source, transit, destination) for a particular environmental or natural resource crime type.

**Structure of the Vulnerability Submodule: Input variables and intermediate variables**

Global vulnerability is automatically established by the module on the basis of the input variables' assessment. If the vulnerability to an environmental or natural resource crime variable is considered high (that is, it gets a low mark), it will increase global vulnerability to environmental crime and related ML risk.

Input variables (explained in item 1 in the following list), intermediate variables (item 2), and the links between them make up the structure of the submodule (figure 2.a).

**1. Input variables** reflect factors that affect the quality of the general environmental crime controls at the national level and determine the ability of the country to combat criminal activity in the environmental and natural resource sectors. They affect intermediate variables that subsequently determine national vulnerability. Accordingly, input variables have an **indirect effect** on the global vulnerability.

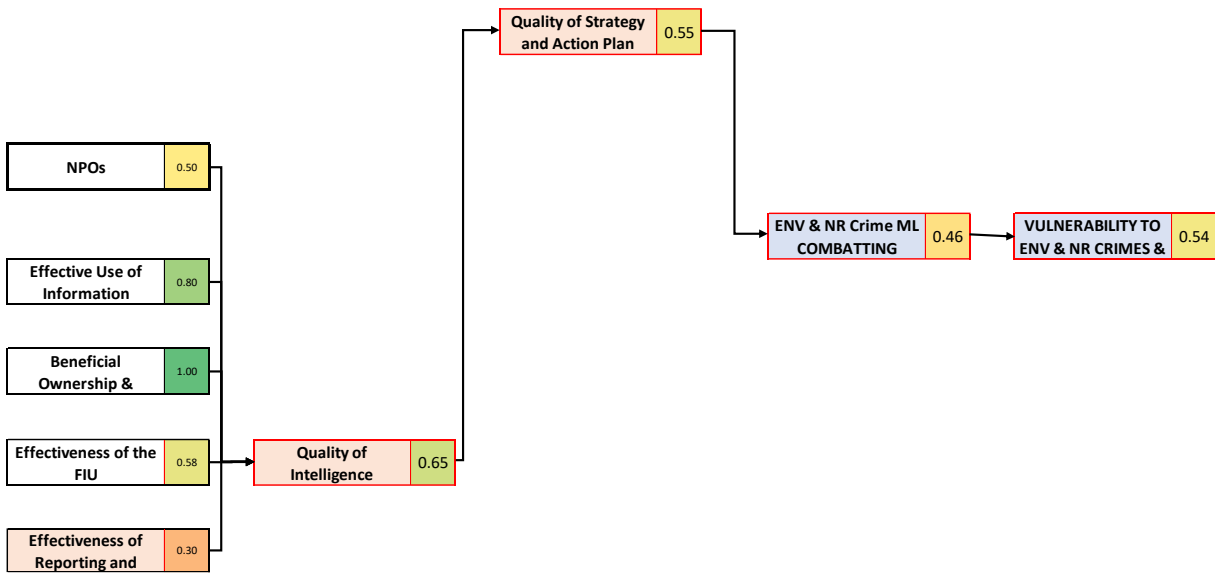
**2. Intermediate variables** are broad, high-level factors aggregating several input variables. **They cannot be assessed directly.** The submodule determines intermediate variable ratings automatically, based on input variables ratings decided by the WG.

Thus, a low rating of input variables (that is, a high vulnerability of these variables to environmental and natural resource crime) means that the country is more vulnerable to environmental and natural resource sector crime risk and the related ML risk. It will consequently have a negative impact on the ability of the country to fight those crimes

### Figure 3.a. Network Structure

In figure 3a. a small part of the network structure has been pulled out to clarify the logic of the module. The links between input variables (uncolored cells) and **intermediate variables** (orange cells) constitute causal channels structuring the national vulnerability assessment.

Figure 3.a. Part of the Network Structure



As an example of an input variable, see *Beneficial Ownership & Directorship of Legal Entities* (on the left of the chart). If a country's access to *Beneficial Ownership & Directorship of Legal Entities* data are accessible to those persons charged with investigating and managing environmental and natural resource sector crimes and resources, this and other inputs will naturally have a positive effect on the country's combating ability. But this effect is indirect, as can be seen by tracing the various connections through the chart. Access to *Beneficial Ownership & Directorship of Legal Entities* data contributes to the quality of intelligence, which in turn improves the *effectiveness of customs and border controls*, which in turn positively affects the *combating ability* and reduces the *vulnerability*.

*Beneficial Ownership & Directorship of Legal Entities* is just one variable that combines with others to affect the *Understanding of Risk*. Others are input variables including those aggregated in the intermediate variable<sup>2</sup> *Effectiveness of FIU* (see figure 2.a. for details about the variables).

<sup>2</sup> Some intermediate variables become input variables for other intermediate variables. They do not need to be assessed (that is, marked) by the WG.

## **Parameters of the Vulnerability Submodule**

Four parameters determine national vulnerability:

- The **network structure** of the module
- The **relative weights** of the input and intermediate variables
- The defined conditions (**prerequisites** or **preconditions**) for intermediate variables
- The **assessment ratings** of the input variables

**Weights and prerequisites (as well as the network structure) are already embedded in the model as developed by the World Bank and thus do not need to be input:**<sup>3</sup>

- Weights allow the tool to take into account the relative importance of each input variable in making up the rating of the intermediate variable to which it is linked.
- Prerequisites, noted 1 or 0, allow the tool to take into account the fact that one or more input variables informing an intermediate variable may be of such importance that the rating of the intermediate variable cannot exceed the rating of such input variables. Prerequisites (or preconditions) allow the tool to cap the rating of the intermediate variable.<sup>4</sup>

More details—especially on weightings and preconditions—are available in the “Environmental Crime Schematic” PowerPoint presentation, which is included in the NRA documentation. Weights and prerequisites are visible in the “Weights (Best Case)” tab of the Environmental Crime Vulnerability Excel spreadsheet.

Formulas are embedded in the submodule allowing it to yield assessments of the intermediate variables based on the weights, prerequisites, and grades of the input variables. Only the World Bank can modify such formulas.

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<sup>3</sup> If the WG considers that some updates should be applied (such as the modification of a variable weight or prerequisite or a modification of the network structure), it should reach out to the World Bank team.

<sup>4</sup> For example, see the intermediate variable *Effectiveness of Reporting and Whistleblowing* (hereafter, *Reporting and Whistleblowing*). It makes sense to consider that *Reporting and Whistleblowing* cannot exceed a “low level” if the variable *Incentives and Protection for Reporting* is considered to be very low, whatever the level of *Public Awareness and Private Sector Involvement* is. Indeed, without incentives and protection for information disclosure, the public awareness level of environmental crime may not have any impact on the degree to which information on environmental crimes is communicated by the general public and nongovernmental organizations, which is captured by the intermediate variable *Reporting and Whistleblowing*. Hence, it means that if the input variable *Public Awareness* is rated very high, we can consider that the rating of the variable *Reporting and Whistleblowing* cannot exceed the rating chosen for *Incentives and Protection for Reporting*. This is done by assigning “1” as a prerequisite for *Incentives and Protection for Reporting* and “0” for *Public Awareness*. The rating of the intermediate variable is thus capped by the rating of *Incentives and Protection for Reporting*.



## 4. GENERAL GUIDANCE FOR THE ENVIRONMENTAL AND NATURAL RESOURCE CRIMES RISK ASSESSMENT

### 4.1 Methodology for the Assessment of the Threat Indicators and the Vulnerability Input Variables

#### *Indicators of the Threat Assessment*

The threat assessment is based on an assessment by type of crime in the environmental and natural resource sectors, which are divided into several offenses (such as for wildlife crimes, poaching, illegal trade, illegal mining, and associated corruption). For each crime, several quantitative and qualitative indicators have been listed to allow a rigorous assessment. The WG should thus collect data and information (mainly from investigations, judicial procedures, and public sources) to inform the indicators and discuss and interpret them before filling in the Environmental and Natural Resource Threat Excel spreadsheet (see section 5.1).

Environmental and natural resource crimes describe all illegal activities that allow groups to benefit from the exploitation, damage, theft, or trade of natural resources.

A detailed presentation of the environmental and natural resource crimes is available at section 5.1. The section also specifies how the Environmental and Natural Resources Crime Threat Excel spreadsheet should be handled.

Once the WG has gathered enough data and information and filled in the spreadsheet, it should decide on the characterization of the likelihood (it can be assessed as being “Unlikely,” “Possible,” “Likely,” “Almost Certain”) and impact (it can be assessed as being “Minor,” “Moderate,” “Major,” “Severe”) to be attributed to each crime (see section 5). A drop-down list has been included to select the most appropriate assessment (i.e. click on the cell P2 or Q2 to drop menu).

#### *Input variables of the Vulnerability Submodule*

Assessments of the input variables must be put into the **evaluation forms** (see section 7). Each form describes an input variable, the criteria to consider in the rating process, and guidance on sources to draw on to conduct the evaluation, as well as a rating scale going from 0.0 (Does not exist) to 1.0 (Excellent) with intervals of 0.1. If all the criteria are satisfied, the input variable can be graded as Excellent (1.0).

A **rating form** is also provided to allow the WG to document the bases of their rating and reasoning. See section 7.2 in this document. Data and pieces of information must be reported for each input variable.

The assessment and rating of each input variable must consider every criterion and type of crime (wildlife crimes, forestry crimes, mining crimes, IUU fishing, crimes involving waste and pollution), as well as crimes or breaches within these sectors, such as bribery to secure a license. For instance, to determine the rating of the input variable *Criminal Sanctions*, the WG assesses whether criminal sanctions for environmental and natural resource offenses provided for by the legislative and regulatory framework and the convictions handed down are proportional, dissuasive, and effective.

For countries facing various environmental and natural resource crimes, where there may be a difference

in the way the vulnerability variables for the environmental and natural resources sectors would be assessed, the WG may choose to assess the variables separately for each sector. In this case, the WG would have to run the Vulnerability spreadsheet for each of these sectors to obtain individual vulnerability scores for each sector.

Evaluation and rating forms are provided in section 7.

### ***An assessment based on the WG expertise and discussions***

The ratings to assign to input variables (vulnerability) as well as the determination of the likelihood and impact of each crime (threat) must be decided based on a thorough reasoning that takes into account the WG members' points of view, expertise, and experience as well as the discussions of the group. The WG should not "average out" the assessments of the criteria to grade the vulnerability input variables. Indeed, a severe pitfall of one of the criteria might not counterbalance the positive assessments of others.

It is important to remember that the NRA of ML/TF report will be one of the most important and examined documents for evaluating the effectiveness of the AML/CFT measures of the jurisdiction. The team in charge of assessing the effectiveness of the ML/CFT national system will examine the documentation underlying the analysis and evaluations. This documented information will be considered more important than the actual grades. Evaluation of the input variables will be significant only if thorough analysis based on the most adequate, credible, and convincing information and data underlies the rating.

The WG should engage in meaningful discussions for the evaluation of each input variable. The notetaker should report the main elements of the debates in the working documents. Saving these archives is important because the archives will allow the WG to highlight the specific problems and pitfalls it met and which ones it should consider in the development of the action plan. The working documents will also be helpful in the redaction process of the final NRA of ML/TF report.

## **4.2 Organization of the Assessment Process**

The assessment process is composed of two separate steps:

**Step 1:** Assess and grade vulnerability input variables and the environmental crime threats based on available data and information.

**Step 2:** Fill in the Excel spreadsheets; obtain and interpret results.

**Step 1 is the most important and time-consuming step.** Time management is thus key to the assessment process. **During the first workshop, preliminary grades can be informed in the Excel spreadsheets,** allowing the WG to better understand the functioning of the tool. Preliminary assessments can and should be modified gradually as the WG gathers information on the vulnerability input variables and threats indicators.

## **4.3 Deciding the Period for Data and Information Collection**

The purpose of data and information collection is to inform and facilitate sound judgment. Deciding on which period to use depends on the factors and should be decided based on the WG expertise. **However,**

**the WG is advised to use a 3-, 5-, or 10-year period as a period of reference** to identify trends. Indeed, some criminal cases (like money laundering) may take longer to investigate, prosecute, and adjudicate than predicate crimes. Alleviating the lengthy process as much as possible requires using a long period.

If such data are not available, however, data from the past 5 years or past 3 years may be used instead. Table 1 provides detailed guidance on the data-collecting periods regarding different types of indicators.

**Table 1: Guidance on the data collection period**

Indicators	Data Collection Period
<b>Quantitative indicators of threats and vulnerabilities</b>	Depending on the availability of data, between 3, 5, or 10 years
<b>Qualitative indicators of threats and vulnerabilities</b>	This is mostly qualitative information and does not require a strict time frame. The most meaningful information is the most recent information, so try to obtain as much information from the past 5 years as possible.

Because this assessment is not a statistical model, there are no strict conditions on having identical data collection periods that need to be applied to all indicators. Using different data collection periods in different sections is not problematic for the overall model. The indicators are analyzed per jurisdiction, and the present situation within the jurisdiction is assessed on that basis. However, it is important that there is consistency across the rows and columns relating to a given indicator. For example, if one wishes to compare the amount of mutual legal assistance offered across various jurisdictions, then it is necessary that the data used were collected in the jurisdictions over the same period (for example, 5 years). **Ultimately, the interpretation of the data by the WG will allow it to decide on a precise evaluation of the vulnerability input variables, likelihood, and impact of the crimes for the threat assessment.**

#### 4.4 Possible Sources of Information and Data

Table 2 provides guidance about which data and information sources can be used for completing the assessment.

**Table 2: Guidance on Data and Information Sources**

Indicators	Possible Sources of Data and Information
<b>Quantitative indicators of environmental and natural resource crime threats and vulnerabilities</b>	<ul style="list-style-type: none"> <li>• Intelligence</li> <li>• Judicial system database</li> <li>• Prosecutor’s Office database</li> <li>• Law enforcement database</li> <li>• Reports by government agencies; international and nonprofit organizations</li> <li>• Customs authority</li> <li>• Research reports and academic studies</li> <li>• Databases (such as MIKE, CITES)</li> <li>• Interviews with relevant authorities/market participants/interest groups</li> <li>• Meetings of the WG with relevant authorities/market participants/interest</li> </ul>

	<p>groups</p> <ul style="list-style-type: none"> <li>• Polls and surveys of the general public or focus groups</li> <li>• Press/internet/other relevant open sources</li> </ul>
<p><b>Qualitative indicators of crime threats and vulnerabilities</b></p>	<ul style="list-style-type: none"> <li>• Intelligence</li> <li>• Reports by government agencies</li> <li>• Academic studies and publications</li> <li>• Publications by international organizations</li> <li>• Publications by nonprofit organizations</li> <li>• Open sources (such as internet and public news)</li> <li>• Surveys with focus groups or the general public</li> <li>• Interviews with focus groups, experts, or nonprofit organizations</li> </ul>

Note: CITES = Convention on International Trade in Endangered Species of Wild Fauna and Flora; MIKE= Monitoring the Illegal Killing of Elephants .

## 5. DETAILED INSTRUCTIONS ON HOW TO USE THE ENVIRONMENTAL AND NATURAL RESOURCE CRIME THREAT EXCEL SPREADSHEET

### 5.1 Environmental and Natural Resource Crime Threat Excel Spreadsheet

The spreadsheet for environmental and natural resource crime threats collects data about the various types of such crimes known to occur in the country. It enables the WG to pinpoint the main threats. The purpose of this data collection is to help the WG establish the potential extent of money laundering linked to ENV and NR crime within the jurisdiction, using a “type of crime” breakdown as the main starting point.

The WG should aim to collect data and information for a period of three to five years. The Excel spreadsheet will capture the cumulative numbers; however, the WG should look to analyze numbers on a yearly basis to identify trends and patterns.

#### “ENV Threat” tab

This tab aims at assessing the environmental crime threat in the country. Screen shots of the Threat excel model are at Appendix 1.A

#### **Column A heading: Environmental sector offense**

In column A, the WG should insert the various environmental crimes known to occur in the country. The following lists of offenses are illustrative and can be extended based on data.

- The first section, “**Wildlife Crime,**” encompasses offenses involving animals or animal products and associated offenses known to be linked to wildlife crime. A country can be an origin, transition, or destination country of illegally sourced wildlife. Data must be reported in the Excel spreadsheet whether the country is an origin, transit, or destination State. Wildlife offenses notably include the following:
  - Poaching
  - Use of prohibited equipment or methods
  - Taking of restricted wildlife

- Violation of seasonal restrictions
- Illegal possession of wildlife
- Illegal processing of wildlife
- Illegal export
- Illegal import
- Illegal supply and sale
- Illegal consumption
- Corruption linked to wildlife (fauna) crime
- Fraud linked to wildlife (fauna) crime

Associated offenses notably include the following:

- Corruption
- Fraud

- The “**Forestry Crimes**” section encompasses offenses involving flora products and associated offenses known to be linked to forest crime. A country can be an origin, transition, or destination country of illegally sourced forestry products. Data must be reported in the Excel file whether the country is an origin, transit, or destination State. Forestry offenses notably include the following:

- Illegal harvesting
- Illegal possession
- Illegal processing
- Illegal export
- Illegal import
- Illegal supply and sale
- Illegal consumption
- Corruption linked to FC (including in the licensing process)
- Fraud linked to FC (including in the licensing process)

Associated offenses notably include the following:

- Corruption (including in the licensing process)
- Fraud (including in the licensing process)

- The “**Fisheries Crime**” section encompasses illegal, unreported, and unregulated (IUU) fishing activities, illegal trade of IUU fish, and associated offenses. Fisheries crime notably includes the following:

- Licensing process
- Illegal fishing:
  - Fishing conducted by national or foreign vessels in waters under the jurisdiction of a State, without the permission of that State, or in contravention of its laws and regulations;
  - Fishing conducted by vessels flying the flag of States that are parties to a relevant regional fisheries management organization but operate in contravention of the conservation and management measures adopted by that organization and by which the States are bound, or relevant provisions of the applicable international law; or
  - Fishing conducted in violation of national laws or international obligations, including those undertaken by cooperating States to a relevant regional fisheries management organization.
- Unreported fishing:
  - Fisheries that have not been reported, or have been misreported, to the relevant national authority, in contravention of national laws and regulations; or

- Fisheries that are undertaken in the area of competence of a relevant regional fisheries management organization that have not been reported or have been misreported, in contravention of the reporting procedures of that organization.
- Unregulated fishing:
  - Fishing in the area of application of a relevant regional fisheries management organization that is conducted by vessels without nationality, or by those flying the flag of a State not party to that organization, or by a fishing entity, in a manner that is not consistent with or contravenes the conservation and management measures of that organization; or
  - Fishing in areas or for fish stocks in relation to which there are no applicable conservation or management measures and where such fishing activities are conducted in a manner inconsistent with State responsibilities for the conservation of living marine resources under international law.
- Export of IUU fish
- Import of IUU fish
- Fraud linked to IUU Fishing
- Corruption linked to IUU Fishing

Associated offenses notably include the following:

- Corruption
- Fraud

- The “**Waste/Pollution**” section encompasses offenses related to illegal trade and dumping of hazardous substances and associated offenses. It notably includes the following:

- Illegal dumping/disposal
- Illegal trade of waste/polluting products
- Fraud linked to waste/pollution
- Corruption linked to waste/pollution

Associated offenses notably include the following:

- Corruption
- Fraud

- The “**Extraction/Mining Crimes**” section encompasses offenses involving illegal extraction of and trade in mineral products and associated offenses known to be linked to this crime. A country can be an origin, transit, or destination country of illegally sourced mining products. Data must be reported in the Excel file whether the country is an origin, transition, or destination State. Mining offenses notably include the following:

- Licensing process
- Extraction/Mining Crimes
- illegal mining and illegal mining practices
- illegal trade of mining products
- Fraud linked to extraction/mining
- Corruption linked to extraction/mining

Associated offenses notably include the following:

- Corruption
- Fraud

- The last section is “Other criminal activity linked to the environment and that may not yet be criminalized (list).” When necessary, the WG should add such criminal activities in this section and report them following the same methodology as the crimes previously dealt with.

#### ***Columns B and C: Administrative sanctions and fines for ENV crime***

In these columns, the WG should report the number of administrative/noncriminal actions taken (column B) and the value of fines imposed (column C) as part of administrative/noncriminal actions for each type of crime and offense, as well as related offenses.

#### ***Column D: Suspicious Transaction Reports (STRs) filed for ENV crime***

In this column, the WG should report the number of STRs filed and transmitted to the financial intelligence unit (FIU) for each type of crime and offense, as well as related offenses.

#### ***Columns E–G: Enforcement data on ENV crime***

In these columns, the WG should make a list of the enforcement data from environmental crime cases. This should include the number of investigated cases (column E), the number of prosecutions (column F), and the number of convictions (column G) for each type of crime and offense, as well as related offenses.

#### ***Columns H–J: Mutual Legal Assistance (MLA) or other international requests related to ENV crime***

In these columns, the WG should report the number of MLA requests sent (column H) or received (column I) for each type of crime and offense, as well as related offenses. The WG should also make a record of the countries of origin/destination of such requests (column J). These requests may be from or to intelligence, law enforcement, financial intelligence, or revenue authorities. If this type of data is not yet being collected, please make a note of that fact.

#### ***Columns K and L: Number of ENV crime cases related to money laundering or tax evasion***

In these columns, the WG should report the number of money laundering (column K) and tax evasion (column L) cases related to each type of crime and offense, as well as related offenses.

#### ***Column M: Asset seizures and confiscations related to ENV crime***

In this column, the WG should report the value of goods that have been seized or confiscated for each type of crime and offense, as well as related offenses.

#### ***Column N: Estimated value generated from ENV crime***

In this column, the WG should report the estimated value that is generated for each type of crime, using all available information sources. The estimate must include the associated offenses (corruption, fraud).

#### ***Column O: Qualitative information on ENV crime***

In this column, the WG should add qualitative information on environmental crime (including trends, extent, and objects of the criminality, characteristics of the syndicates, routes, modus operandi, ties with other types of crime, and so on). In addition to information from intelligence authorities, information can

be taken from sources that are deemed to be credible by the jurisdiction, especially nongovernmental organizations (NGOs). This input may also include open-source information, such as reports from government agencies (including those from other jurisdictions), international organizations, civil society organizations, and academic literature or credible news sources.

#### **Column P: Likelihood of ENV crime occurring**

In this column, the WG should determine the likelihood of each type of environmental crime taking place within the jurisdiction. It can be assessed as being “Unlikely,” “Possible,” “Likely,” or “Almost certain.” The assessment should be supported by the analytical data and qualitative information collected in the previous columns.

#### **Column Q: Impact of ENV crime**

In this column, the WG should determine the impact of each type of environmental crime in the jurisdiction. It can be assessed as being “Minor,” “Moderate,” “Major,” or “Severe.” The assessment should be conducted by answering the following questions:

- How does this crime type affect the environmental and natural resource sectors? How does it contribute to environmental change or ecosystem damage?
- How does this crime type affect the local economy? In terms of
  - Loss of local employment opportunities?
  - Loss of local government revenues?
- How does this crime type affect the broader country economy?
  - In terms of losses of employment opportunities and of national government revenues?
  - What is the estimated size of the black economy?
- How does the existence of this crime type affect the criminal environment?
  - Are criminals foreign people or nationals?
  - Is this crime an organized crime?
  - Is this crime linked to terrorist organizations?

The “Notes” space must be used to record key bullet points relating to the impact assessment. The key points should be more deeply explained in the full write-up.

#### **Column R: Overall threat**

In this column, the tool automatically calculates the environmental crime threat for each crime type by combining the likelihood and impact of each crime type. The threat can be “Low,” “Medium,” “High,” or “Extreme.”

#### **“Mining focus” tab**

The “Mining focus” tab of the Threats Excel spreadsheet can be used to conduct a more detailed risk assessment of the mining sectors.

First identify each mining sector commodity/subsector to be included in this risk assessment: for example, oil, gas, iron ore, bauxite, diamond, gold, precious metals, and so on. Each commodity/subsector should be assessed separately. Save one version of the Excel document for each commodity/subsector.



Column A (rows 3–45) uses the value chain approach and describes the full range of activities that can occur to bring a commodity from its exploration to end use. Alongside each of the listed activities, insert in column B the criminal or administrative offenses (laws and regulations) known to occur in the country.

Table 3 lists the 21 possible predicate offenses for money laundering. Consider which one of these predicate crimes is likely to occur at each stage of the value chain for each commodity or subsector being assessed. The most commonly occurring predicate offense activities that occur in extractive sectors are likely to be items 1 through 8 in the figure. But consider any others that may apply in the various commodity/subsectors.

**Table 3: Possible Predicate Offenses for Money Laundering]**

<b>21 Predicate Criminal Activities for Money Laundering</b>				
1. Corruption/bribery	2. Tax evasion	3. Environmental crime	4. Smuggling/excise fraud	5. Fraud
6. Theft/robbery	7. Forgery	8. Stolen goods trafficking	9. Arms trafficking	10. Organized crime/racketeering
11. Counterfeiting/piracy of products	12. Extortion	13. Kidnapping/hostage taking	14. Human trafficking and migrant smuggling	15. Murder/bodily harm
16. Sexual exploitation	17. Terrorist financing	18. Piracy	19. Counterfeiting of currency	20. Drug trafficking
21. Insider trading and market manipulation				

At row 46, the working group is asked to assess whether the sector is being used to apply direct or indirect support to state or non-state armed groups and lists some possible offenses (rows 47–50) that can occur in the country. The list of offenses is illustrative and can be extended based on data.<sup>5</sup>

The Mining Focus tab in the Environmental Threat spreadsheet is shown in figure 4.

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<sup>5</sup> It is important that this information is shared with the terrorist financing working group.

**Figure 4: Mining Focus Tab, Column A, in Environmental Threats Excel Spreadsheet**

Value Chain activity (activities and sub-activities listed below are examples only; modify as appropriate for the assessed sectors)	Mining Sector Offense(s)
<b>Mining</b>	
<b>Exploration</b>	
Exploration licensing process	
Services/equipment purchase & import	
Exploration	
Appraisal	
Reserves development	
Add any other criminal activities linked to minerals exploration, for example. corruption, fraud, etc.	
<b>Licensing Process for Extraction</b>	
Bid/auction process	
Integrity due diligence/background checks	
Financial background checks	
Technical expertise checks	
Award/transfer process	
Negotiation & conclusion of concession contracts & agreements	
Add any other criminal activities linked to the licensing process for extraction, for example corruption, fraud, etc.	
<b>Extraction &amp; Production</b>	
Extraction	
Transport & storage	
Refining/purification	
Add any other criminal activities linked to the licensing process for extraction and production in the extractive sector (e.g. corruption, fraud, etc.)	

	Mining Sector Offense(s)
<b>Trade &amp; Sales</b>	
Wholesale marketing	
Wholesale distribution	
Transport & export	
Retail marketing	
Retail distribution	
Add any other criminal activities linked to trade and sales of precious or valuable minerals, for example corruption, fraud, etc.	
<b>Revenue Collection</b>	
Production	
Wholesale sales	
Retail sales	
Export	
Add any other criminal activities linked to revenue collection in the extractive sector, for example corruption, fraud, etc.	
<b>Direct/indirect Support to State and Non-State Armed Groups</b>	
Extortion and racket at mine sites	
Extortion and racket along transportation routes	
Terrorism financing	
Human rights violation	

The rest of the columns should be informed in the same manner as is detailed in this document’s section “ENV Threat” tab but referring to mining crime instead of environmental crime, as in figure 5.

**Figure 5: Mining Focus Tab, Column Headers, in Environmental Threat Spreadsheet**

A	B	C	D	E	F	G	H	
Number of Administrative Sanctions / Fines	Value of Admin Sanctions / Fines Imposed	Number of Suspicious Transaction Reports filed	Number of Investigations	Number of Prosecutions	Number of Convictions	MLA Requests Sent (or any other international information)	MLA Requests Received (or any other international information)	
I	J	K	L	M	N	O	P	Q
Jurisdictions Linked to MLA (or any other international information)	Number Linked to ML Case	Number Linked to Tax evasion	Seizures / confiscations	Estimated Value	Qualitative Information / Notes	Likelihood of Crime Occurring	Impact of Crime	Overall Threat
						Almost Certain	Moderate	High

Once the data have been collated at each of the steps in the value chain, you should then determine

whether it is Unlikely, Possible, Likely, or Almost Certain that the crime will occur (column S) and whether the impact would be Minor, Moderate, Major, or Severe (column T) if the crime were to occur at this stage in the value chain.

### **“ML Case Analysis” tab**

This tab aims at assessing the money-laundering threat in the country by providing information on the ML cases within the country. For cases that led to conviction(s), prosecution(s), and investigation, several pieces of information need to be filled in. Column A features these variables for each assessed case. They are

- Sectors involved
- Number of entities involved
- Name of the institutions involved
- Number of bank accounts involved
- Average amount in detected bank accounts
- Number of money transfers
- Average amount in money transfers
- Financial products/services involved
- Predicate offense
- Total detected amount
- Total seized amount
- Total confiscated amount
- Number of citizens involved
- Number of noncitizens involved
- Destination countries
- Originator countries
- Regions involved
- Summary of the techniques and methods used in ML
- Trigger for the investigation
- Result of the investigation
- Other important points
- Short narrative of the case

## **5.2 Environmental Crime Vulnerability Excel File**

At this stage, the input variables have been assessed and assigned a rating. These ratings now need to be entered into the Excel file. This section provides step-by-step instructions for using the Excel file to assess the national vulnerability of the country.



- While reading these instructions, open and try to use the Excel file in parallel to aid your understanding.
- Please make sure that you have a recent and full version of Windows Office Excel installed. The Excel file works only with Office Professional 2007 and later versions. Earlier versions or home/student versions of Excel, which have limited functions, do not support the file.
- Do not work in the original Excel file. Always create a copy of it and work in the copied (working) version. This way, if the macros in the working version become corrupted, you will still have an intact version of the file.
- Do not add or delete any rows/columns in the Excel file, as this can corrupt the macros or formulas in it.

### ***Step 1: Before you start***

After opening the Excel file, first enable macros. A security warning will appear at the top of the document, warning you that macros are disabled. Click on **Enable Content** option. This is an important step, because without it the Excel file will not function properly.

If the macro security warning does not appear, change the macro settings. To change the macro settings, click the **Microsoft Office Button** (in the top left corner – File) and select **Excel Options**. In the Excel Options window, select the **Trust Center** option and click on **Trust Center Settings**. When the Trust Center window opens, select the **Macro Settings** option. In this list, select the option **Enable All Macros** and click **OK**.

### ***Step 2: Entries for input variables in the “Entry Page” tab – Ratings***

For each input variable, select your chosen rating in the drop-down list. The options range from **(1.0) Excellent** to **(0.0) Does Not Exist**. Notice that higher assessment ratings for input variables implies that the country has better environmental and natural resource sector crime controls in place, which will lead to a lower national environmental and natural resource sector crime and related ML vulnerability for the country. The Excel file automatically colors the entries according to their level of desirability (green = desirable, red = undesirable, and so on.)

To complete the assessment, you must enter assessment ratings for all 23 input variables.

Bear in mind that the assessment of the input variables is applicable to the entire country and determines the national environmental and natural resource sector crime and related ML combating ability of the country.

The “Vulnerability Map tab” (which displays the scheme as displayed in figure 2.a) allows the WG to easily identify the relations between the input and intermediate variables.

### **Step 3: Entries for the “Entry page (best case)” tab**

This tab allows the WG to input a rating that it considers as a goal to achieve for each input variable. This rating is called a *Best case assumption rating*. It is a benchmark against which actual ratings and combating ability are analyzed.

### **Step 4: Analyzing the content of the “Priorities” tab**

Based on the *Best Case assumption rating*, the spreadsheet establishes the input variables that have to be improved in priority to get the largest positive impact on the environmental and natural resource sector *crime combating ability*. To see the order of priority, click the button “Analyze priorities.”

### **“Weighting” and “Weights (Best Case)” tabs – weighting and preconditions**

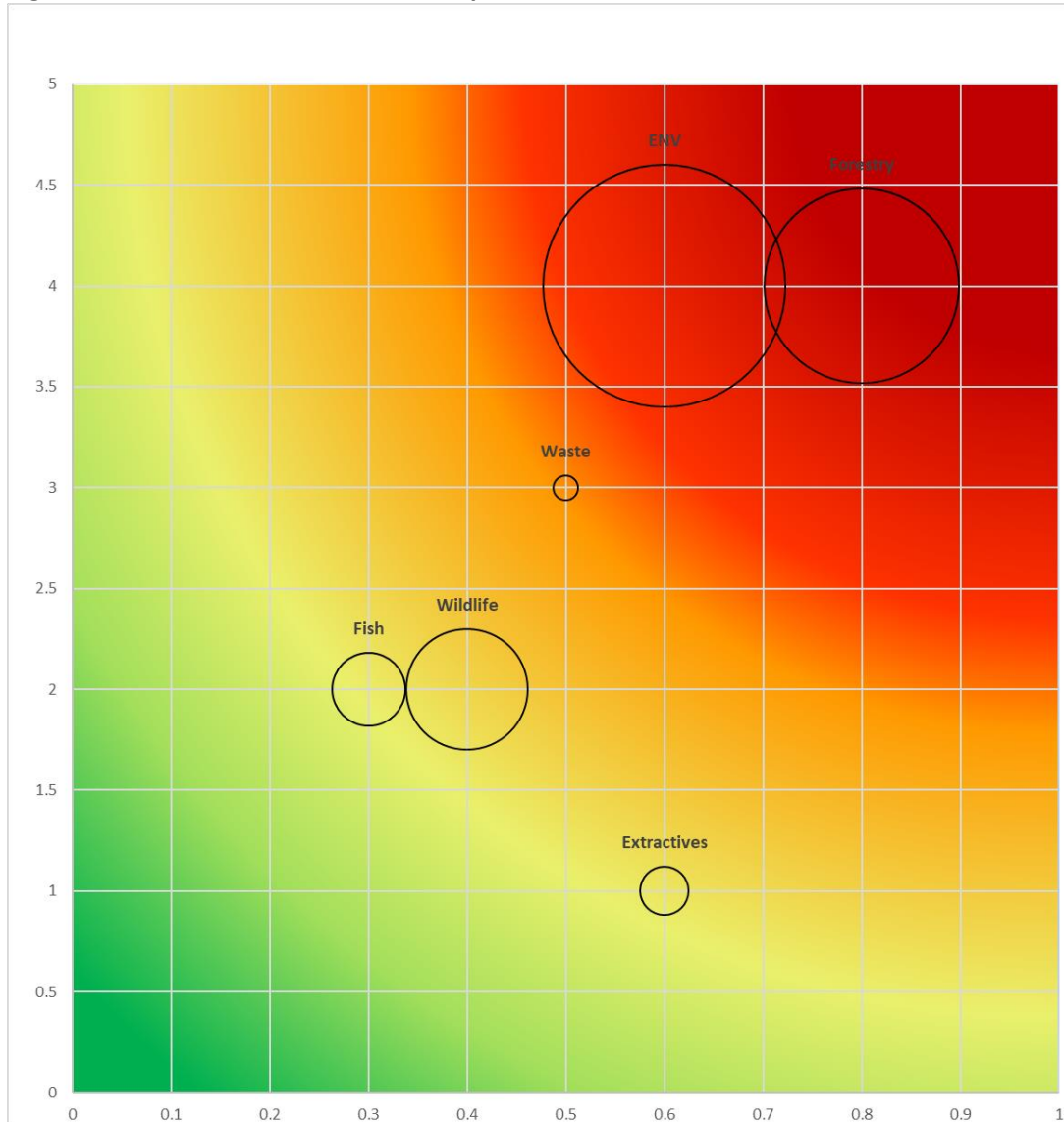
The “Weighting” (Best Case) tab displays the weights and preconditions that the World Bank has assigned to the input variables (and to intermediate variables informing other variables). This tab requires no entries by the WG.

The “Weights (Best Case)” tab is not useful to the WG. It allows the model to properly run calculi.

## 6. ASSESSING THE OVERALL ENVIRONMENTAL CRIME RISK

The overall ENV crime risk is determined by the assessment of environmental crime threat and vulnerability within a country. Figure 6 “Environmental Crimes Heat Map” , shows how the overall ENV crime risk can be established by the interaction of the two elements: ENV crime threat, on the vertical axis, and ENV crime vulnerability, on the horizontal axis.<sup>6</sup> As the heat map shows, when individual sector assessments have been undertaken, these can also be individually plotted on the map.

**Figure 6: Environment Crimes Heat Map**



<sup>6</sup> L: low / ML: medium-low / M: medium / MH: medium-high / H: high.

For assessing the vulnerability: 0–0.2 (low) / 0.2–0.4 (medium-low) / 0.4–0.6 (medium) / 0.6–0.8 (medium-high) / 0.8–1.0 (high).

## 7. ASSESSMENT WORKSHEET FOR VULNERABILITY INPUT VARIABLES

This section provides guidance for assessing the input variables of the vulnerability submodule—the rating form as well as evaluation forms. It also includes instructions regarding the assessment of the variables.

### 7.1 Input Variables

1. *Risk Understanding, Coordination, and Data Collection*
2. *Definition of ENV & NR Breaches and Crimes*
3. *Admin or Civil Sanctions*
4. *Criminal Sanctions*
5. *ENV & NR Crime Asset Recovery and Management*
6. *Control of Corruption*
7. *Domestic Cooperation*
8. *Nonprofit Organizations (NPOs)*
9. *International Cooperation*
10. *Use of Experts*
11. *Public Awareness and Private Sector Involvement (about environmental and natural resource crime)*
12. *Capacity of the Customs and Border Authorities*
13. *Incentives and Protection for Reporting*
14. *Effective Use of Information*
15. *Capacity of Preventive Authorities*
16. *Suspicious Transaction Reports (STRs) Reporting*
17. *Capacity of the FIU*
18. *Capacity of Criminal Law Enforcement*
19. *Legal Protection for Prosecutors, Judges*
20. *Beneficial Ownership & Directorship of Legal Entities*
21. *Legal Protection for Law Enforcement and Customs*
22. *Capacity of Prosecutors and Judiciary*
23. *Overall Sector Regulatory Governance, Management & Transparency*

Input variables do not necessarily match Financial Action Task Force Recommendations. However, assessments of the input variables can partially draw on the Mutual Evaluation Report (MER) from both effectiveness and technical compliance analysis. Conclusions of the MER are, however, not binding for the WG. Its members are invited to make use of the numerous reports and official documents providing information on risks in the country.

### 7.2 Recording the Underlying Reasons for Ratings of the Input Variables

The rating form that should be used to evaluate each variable is provided as follows.

<b>Name of the input variable:</b>
<b>Rating attributed and a brief explanation of the underlying reasoning:</b>

<p><b>Analysis of the evaluation criteria and of the information and data informing the assessment:</b></p>   
<p><b>Shortfalls/problems/potential improvements:</b></p>   

### 7.3 Completing the “Entry Page” Tab in the “Vulnerability” Excel File

The results of the input variables assessments need to be entered into the “**Entry Page**” tab of the Environmental Crime Vulnerability Excel spreadsheet. This should be done only after all the variables have been assessed.

Section 7 provides detailed instructions on how to use the Excel spreadsheet.

The 23 assessment forms—as well as assessment forms of variables from other modules of the NRA to which a reference is made in the input variables criteria—follow:

#### ***Risk Understanding, Coordination, and Data Collection***

##### **Variable description: 1 Risk Understanding, Coordination, and Data Collection**

This variable assesses whether the jurisdiction has designated a specific body in charge of leading the coordination and implementation of a national strategy to combat each category of crime (illegal logging, wildlife trafficking, illicit fishing, and so on). Depending on the country’s risk profile, different bodies may lead different actions. This variable also assesses the degree to which the jurisdiction maintains comprehensive data and statistics on matters relevant to the effectiveness and efficiency of domestic systems to combat environmental and natural resource sector crimes, and whether these statistics inform the development of a domestic understanding of the exposure of the country to ENV crimes and the strategy to combat them and mitigating measures.



### Assessment criteria

- Does each category of crime to which the jurisdiction is exposed have a designated body in charge of coordinating the development of a national strategy to combat these crimes?
- Has the jurisdiction developed a holistic national strategy to combat each category of crime that would involve all relevant stakeholders (law enforcement and judiciary, customs, treasury, FIU, AML/CFT supervisors, anti-corruption authorities, NGOs, and so on). Have consultations with private sector reporting entities been organized and has their input been incorporated?
- Have high-level interagency committees been created to oversee the formulation, coordination, and implementation of AML policies and strategies?
- To what extent are the designated authorities able to make arrangements or engage independently with other domestic competent authorities or foreign counterparts on the exchange of information?
- Do relevant stakeholders have developed and implemented systematic processes for the collection and maintenance of data and statistics on the following:
  - Cases of violations of laws; investigations, prosecutions, convictions, and sanctions?
  - Property frozen, seized, and confiscated?
  - STRs related to environmental crimes?
  - Mutual legal assistance and other international requests for cooperation made and received?
- Have integrated databases been developed that enable the assessment and control of the origin and legality of environmental resources circulating within and outside the country?
- If specific information about cash smuggling is not available, provide data and statistics on the volume, trends, and methods of other types of smuggling through illegal border activity.
- Have stakeholders adopted uniformed and consistent protocols for measuring crime-related data to facilitate the exchange and the aggregation of data from different agencies at the regional and national levels?
- Are there any impediments in your jurisdictions for data and statistics collection and sharing?
- To what extent have data and statistics systems (quality and quantity) informed the understanding and assessment of the risk exposure of the jurisdiction to crimes and the development of a national strategy to combat these crimes?

### Assessment

Based on the assessment criteria and the information/data collected, decide the appropriate rating for this variable.

Excellent	Close to Excellent	Very High	High	Medium High	Medium	Medium Low	Low	Very Low	Close to Nothing	Does not Exist
1.0	0.9	0.8	0.7	0.6	0.5	0.4	0.3	0.2	0.1	0.0

### Definition of ENV & NR Breaches and Crimes

#### Variable description: 2 Definition of environmental and natural resource sector breaches

This variable assesses whether the jurisdiction has effectively identified and defined environmental and natural resource offenses in legal or regulatory instruments to be able to combat the forms of criminal activities to which it is exposed and to mobilize international cooperation. Environmental and natural resource crime includes all illegal activities that allow groups to benefit from the exploitation, damage, theft, or trade of natural resources. Environmental and natural resource crimes may include the following:

- Offenses related to fauna (poaching; use of prohibited equipment or methods; taking of restricted wildlife; illegal possession, consumption, or trade including import/export, illegal supply and sale, illegal processing; and so on) and associated offenses (corruption, fraud, and so on)
- Offenses related to flora (illegal logging; illegal possession; illegal processing; illegal trade including

- import/export, illegal supply and sale, illegal consumption; and so on) and associated offenses (corruption, fraud, and so on)
- Illicit, unreported, and unregulated (IUU) fishing, trade in IUU fish products and associated offenses (corruption, fraud, and so on). IUU fishing includes the following:
    - Illegal fishing:
      - Fishing conducted by national or foreign vessels in waters under the jurisdiction of a State, without the permission of that State, or in contravention of its laws and regulations
      - Fishing conducted by vessels flying the flag of States that are parties to a relevant regional fisheries management organization but operate in contravention of the conservation and management measures adopted by that organization and by which the States are bound, or relevant provisions of the applicable international law
      - Fishing conducted in violation of national laws or international obligations, including those undertaken by cooperating States to a relevant regional fisheries management organization
    - Unreported fishing:
      - ✓ Fisheries that have not been reported or have been misreported to the relevant national authority, in contravention of national laws and regulations
      - ✓ Fisheries that are within the area of a relevant regional fisheries management organization but that have not been reported or have been misreported in contravention of the reporting procedures of that organization
    - Unregulated fishing:
      - ✓ Fishing in the area of a relevant regional fisheries management organization but that is conducted by vessels without nationality, or by those flying the flag of a State that is not party to that organization, or by a fishing entity, in a manner that is not consistent with or contravenes the conservation and management measures of that organization
      - ✓ Fishing in areas or for fish stocks in relation to which there are no applicable conservation or management measures and where such fishing activities are conducted in a manner inconsistent with State responsibilities for the conservation of living marine resources under international law
  - Illegal mining and trade in mineral products (illegal possession, supply and sale, trade including import/export, violation of mining or panning interdictions, illegal processing, use or possession of illegal equipment, and so on) and associated offenses (corruption, fraud, and so on).
  - Hazardous waste dumping and trafficking, which include all offenses related to illegal trade and dumping of hazardous products (E-waste; ozone-depleting substances; waste detrimental to the environment and human or wildlife health; and so on) and associated offenses (corruption, fraud, and so on).

These definitions are generally influenced by international obligations (CITES, the Convention on Biological Diversity, and so on) and should also be reflected fully and accurately in legislation.

#### **Assessment criteria**

- Is the country a party to CITES and a party to the Convention on Biological Diversity, the UNEP's Basel, Rotterdam, and Stockholm conventions (BRS) on protecting human health and the environment from hazardous chemicals and wastes?
  - In which domestic laws/regulations have these conventions been implemented?

- Do laws/regulations identify and define illegal wildlife offenses/forest offenses/illicit fishing/mining violations/hazardous waste trafficking or any other criminal environmental conduct in your jurisdiction? Is there a single law/a single regulation, or are there multiple legislative instruments on:
  - Illegal hunting and trade in fauna products/illegal logging, harvesting, and trade in flora products/IUU fishing/illegal panning, mining or trade in mineral products?
  - Use of prohibited hunting equipment or methods?
  - Violation of seasonal restrictions or traditional hunting habits?
  - Illegal possession and transport of environmental products?
  - Illegal consumption of environmental products?
  - Illegal processing of environmental products?
  - Illegal import of environmental products?
  - Illegal export of environmental products?
  - Illegal supply and sale of environmental products?
- Do these laws/regulations effectively cover all illicit conduct related to the environment identified or detected in your jurisdiction (by domestic authorities, foreign jurisdictions, international organization and civil society reports, and so on)? Are there any gaps that you would identify in the definition of criminal activity related to the environment?
- Are offenses that facilitate the commission of environmental crimes criminalized in your jurisdictions, such as document fraud, tax evasion, nonpayment of fees, money laundering, and so on? Refer to the analysis of the money-laundering offenses in Module 2.
- Are these activities—participation in, association with, conspiracy to commit, attempting, aiding, abetting, facilitating, and counseling ENV crimes—also included in the definition of offenses listed in your jurisdiction?

#### Assessment

Based on the assessment criteria and the information/data collected, decide the appropriate rating for this variable. How well are environmental and natural resource crimes defined in the legal and regulatory framework?

Excellent	Close to Excellent	Very High	High	Medium High	Medium	Medium Low	Low	Very Low	Close to Nothing	Does not Exist
1.0	0.9	0.8	0.7	0.6	0.5	0.4	0.3	0.2	0.1	0.0

### Administrative or Civil Sanctions

#### Variable description: 3 Administrative or civil sanctions

This variable assesses whether the country's regulatory and legal framework provides for civil and administrative sanctions for violations of environmental or other related laws and regulations, and whether the penalties imposed are proportionate, effective, and dissuasive.

The variable also assesses whether these sanctions are actually applied.

The variable also covers the questioning of civil or administrative liability and sanctions imposed on a legal person if a penal sanction cannot be imposed on it.

### Assessment criteria

- Does the sanctioning regime include the following?
  - A large range of administrative and civil sanctions that can be applied to a person responsible for breaches of environmental laws or regulations or to ML offenses in relation to regulatory infractions. Who do these sanctions apply to? Natural persons? Legal persons? What are the existing legal provisions in this area?
  - Ancillary penalties that can be applied to a person responsible for breaches of environmental law or to ML offenses in relation to ENV crimes. Who do these sanctions apply to? Natural persons? Legal persons? What are the existing legal provisions in this area?
- How many identified offenses have led to the imposing of administrative or civil sanctions? Provide statistics separating administrative sanctions, civil penalties, and ancillary penalties, specifying whether they concern natural or legal persons. (3 to 5 years for reference)
- Is there a process to escalate serious regulatory violations for criminal investigation? If so, describe the process including internal processes and any applicable thresholds.
- Do current administrative or civil sanctions allow restitution to be ordered and what type of restoration or remedial measures can be ordered?
  - Can proceeds of administrative or civil sanctions be used for environmental cleanup purposes?

### Assessment

Based on the assessment criteria and the information/data collected, decide the appropriate rating for this variable.

Excellent	Close to Excellent	Very High	High	Medium High	Medium	Medium Low	Low	Very Low	Close to Nothing	Does not Exist
1.0	0.9	0.8	0.7	0.6	0.5	0.4	0.3	0.2	0.1	0.0

## Criminal Sanctions

### Variable description: 4 Criminal sanctions

This variable assesses whether the jurisdiction's legal framework provides for proportionate and dissuasive criminal sanctions for violations of environmental and natural resource laws and regulations and whether penalties imposed are proportionate, effective, and dissuasive. This variable also assesses whether serious environmental offenses fall within the scope of predicate crimes to money laundering.

This variable also assesses whether the violations taking place in the jurisdiction are effectively sanctioned.

### Assessment criteria

- Are serious environmental and natural resource crimes predicate crimes to money laundering in your jurisdiction?
- Does the sanctioning regime include
  - A large range of criminal sanctions that can be applied to a person convicted of breaches of laws/regulations or to ML offenses in relation to environmental and natural resource sector crimes?
- What are the penalties provided and are they proportionate and dissuasive? Also, please list the offenses where you deem the sanctions too weak.
  - Ancillary criminal penalties that can be applied to a person convicted of offenses or to ML offenses in relation to environmental and natural resource sector crimes?
  - Criminal sanctions that can be imposed to a natural person and to a legal person?
  - Are there minimum penalties for environmental and natural resource offenses?

- Who determines the sentencing (for example, sentencing courts or investigating judges)?
- What are the principles for sentencing? Where are they articulated?
- Is it possible to apply higher penalties for repeat offenders?
- Do law enforcement units participate in sentencing hearings? Are victims heard?
- Do current laws and regulations allow restitution to be ordered and what type of restoration or remedial measures can be ordered?
  - Can proceeds of crime be used for ENV cleanup purposes?
- Provide statistics on the number and type of criminal sanctions applied in relation to environmental and natural resource cases. Please specify:
  - The number of criminal *investigations* for such crimes and offenses
  - The number of criminal *prosecutions* for such crimes and offenses
  - The number of criminal *convictions* (and convicted persons) for such crimes and offenses
  - And the same statistics for laundering the proceeds of these crime

Specify for which crimes and offenses criminal investigations, criminal prosecutions, and criminal convictions are the most numerous in your jurisdiction.

#### Assessment

Based on the assessment criteria and the information/data collected, decide the appropriate rating for this variable.

Excellent	Close to Excellent	Very High	High	Medium High	Medium	Medium Low	Low	Very Low	Close to Nothing	Does not Exist
1.0	0.9	0.8	0.7	0.6	0.5	0.4	0.3	0.2	0.1	0.0

### ENV & NR Crime Asset Recovery and Management

#### Variable description: 5 Environmental and natural resource sector asset recovery and management

In addition to having the legal framework to investigate and prosecute crimes, countries importantly should be able to annihilate the profit from committing such crimes, through an effective framework including the fight against money laundering.

This variable determines whether the country has comprehensive laws to seize, freeze, and confiscate the proceeds and instruments of environmental and natural resource sector crimes, and a structure put in place to manage these assets. These laws must provide an effective legal framework for asset confiscation and asset management.

This variable also assesses the actual implementation of these provisions.

#### Assessment criteria

Part of the assessment should be based on and consistent with the analysis from NRA Module 2 “National Vulnerability”, Variable 3 “Comprehensiveness of Asset Forfeiture Laws,” which should be referenced. This variable is included in an annex below.

In addition, the assessment should be carried out by answering the following questions:

- Does the Asset Forfeiture framework apply to environmental and natural resource crimes?
- Are the crime investigative bodies permitted to seize assets?
- Can you obtain a value-based judgment against an offender?
- Is there an established process for managing frozen and seized assets? Consider the following:
  - Is there a dedicated office for this function?

- How are movable and immovable assets managed?
- How are depreciable assets, including live animals, managed?
- How are assets stored?
- How are protected assets managed and disposed of?
- What are the strengths of the asset recovery and management function in your country? Explain.
- Where can improvements in the asset recovery and management process be made? Explain.
- Are there statistics on the seizure and confiscation of the proceeds of environmental and natural resource sector crimes and offenses? Provide statistics (3 to 5 years for reference) concerning:
  - The amount of seizures (in US dollars or local currency) for environmental and natural resource sector crimes or offenses.
  - The amount of forfeitures (in US dollars or local currency) for environmental and natural resource sector crimes and offenses.
- Are there statistics on the seizure and confiscation of money laundering proceeds of environmental and natural resource sector crimes and offenses? Provide these statistics (3 to 5 years for reference):
  - The amount of seizures (in US dollars or local currency) of laundering proceeds of these crime?
  - The amount of confiscation (in US dollars or local currency) of money-laundering proceeds of these crimes?

#### Assessment

Based on the assessment criteria and the information/data collected, decide the appropriate rating for this variable. Does your country have an effective framework for freezing, seizing, confiscating, and managing assets of persons or entities engaged in natural resource crimes?

Excellent	Close to Excellent	Very High	High	Medium High	Medium	Medium Low	Low	Very Low	Close to Nothing	Does not Exist
1.0	0.9	0.8	0.7	0.6	0.5	0.4	0.3	0.2	0.1	0.0

**Note: Module 10 contains annexes within some of the variable descriptions. This is the first such annex. Annex 7A: Variable description: NRA Module 2, Variable 3—Comprehensiveness of asset forfeiture laws**

This variable assesses whether the country has comprehensive laws to seize, freeze, and forfeit proceeds and instrumentalities of crime. These laws should provide an effective legal framework for asset forfeiture (AF). Comprehensive AF powers provide the law enforcement and criminal justice systems with a greater ability to combat money laundering. (This variable does not assess the implementation of asset forfeiture laws; rather, it is related to a country’s legal and regulatory framework for asset forfeiture. Effective implementation of AF laws is assessed by other variables.)

#### Assessment criteria

A country has comprehensive asset forfeiture laws if it enables its competent authorities to seize, freeze, and forfeit proceeds and instrumentalities of crime. AF laws should have the following characteristics:

1. Extend to (a) the proceeds and instrumentalities of ML and its predicate offenses, (b) profits derived from those offenses, and (c) property of corresponding value held by the criminal defendant or third parties
2. Provide authorities with a legal basis to identify and trace the proceeds or property
3. Permit authorities to carry out rapidly provisional measures, such as seizing or freezing proceeds of crime, to prevent the transfer or disposal of the proceeds

4. Provide authorities with a range of asset forfeiture tools, including criminal forfeiture, non-conviction-based (NCB) forfeiture, enforcement of foreign NCB orders, and administrative forfeiture, consistent with domestic law
5. Ensure that the rights of bona fide third parties are safeguarded

#### **Possible sources of information and data**

6. This variable is assessed as part of a country's AML/CFT National Risk Assessment when the World Bank's NRA tool has been used. The earlier assessment can be referenced as appropriate. Variable 4.3 of Module 2 refers.
7. Relevant statutory and regulatory provisions and other pertinent information on the country's overall asset forfeiture framework as to the following:
  1. The scope of coverage (proceeds, instrumentalities, profits, and property of corresponding value)
  2. The legal basis for identification and tracking of the proceeds or property
  3. The availability of provisional measures and ability to carry them out rapidly
  4. The range of asset forfeiture tools available, including criminal forfeiture, NCB asset forfeiture, enforcement of foreign NCB orders, and administrative forfeiture
  5. The rights of bona fide third parties
8. Interviews/consultations with experienced AF investigators, prosecutors, judges, the FIU, and other relevant government authorities regarding the comprehensiveness of asset forfeiture laws
9. If statistics are available, consider the following in assessing the comprehensiveness of the AF laws:
  - (a) How many cases were there in which assets were detected, frozen/seized, or confiscated, and
  - (b) How many assets were detected, frozen/seized, or confiscated?
10. If statistics are not available, please provide examples of recent AF cases that illustrate whether the AF laws are comprehensive.

**Additional References:** Effective management and disposal of seized and confiscated assets: <https://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup2/2017-August-24-25/V1705952e.pdf>

### **Control of Corruption**

#### **Variable description: 6 Control of corruption (and bribery)**

This variable assesses whether the country has effective processes in place to identify, investigate, and prosecute corruption, along with an environment that discourages persons from engaging in corrupt behavior. Environmental and natural resource sector crimes are known to flourish when there is systemic corruption in a country.

#### **Assessment criteria**

- Consider the findings of the NRA—was corruption identified as a major money-laundering predicate crime? Was there an effective independent audit function in your country?
- Is the country a party to the United Nations Convention against Corruption?
- In which domestic law or laws has the United Nations Convention against Corruption been implemented?
- Does the country have an anti-corruption strategy and action plan?
  - What results have been reported from implementing the action plan?
  - Is civil society active in raising corruption-related issues related to environmental and natural resource sectors?
  - Does the country have a mechanism that enables the reporting and resolution of issues regarding



the actions or activities of public servants? Is this process operational independent of the agencies (such as an internal complaint unit or ombudsman’s office)?

- Does the country have a dedicated anti-corruption investigative body?
- Are officials, including those in the environmental and natural resources sectors, required to declare their assets pursuant to an Asset Disclosure System?
- Is the corruption crime linked to organized crime or politically exposed persons’ (PEPS) involvement in ENV crime?
- Are corruption and related crimes effectively investigated and prosecuted? (Refer to any known cases.)
- What are the results of surveys conducted in your country regarding the perception of corruption?
  - What do these findings indicate around the persons involved and what are the vulnerable sectors?
- Are there statistics on the number of investigations, prosecutions, and convictions (and convicted persons) for corruption? To be provided (3 to 5 years for reference)
- Same question about corruption related to environmental and natural resource sector offenses (bribery allowing and attempting to allow perpetrators to escape prosecution or conviction)
- Is the current system of licensing (exploitation, trade, exports, and so on) and controlling ENV resources transparent and applied consistently and fairly?
  - Are permits for the exploitation of natural resources (mining, logging, fishing, and so on) susceptible to abuse?
    - Are facilitation payments (formally or informally) required before permits are granted?
    - Is this process automated or manual?
  - Are there weaknesses in the export/import processes?
- Overall, what are the strengths in your country when it comes to controlling corruption?
- Where can improvement be made?

#### Assessment

Based on the assessment criteria and the information/data collected, decide the appropriate rating for this variable. How well is corruption controlled?

Excellent	Close to Excellent	Very High	High	Medium High	Medium	Medium Low	Low	Very Low	Close to Nothing	Does not Exist
1.0	0.9	0.8	0.7	0.6	0.5	0.4	0.3	0.2	0.1	0.0

### Domestic Cooperation

#### Variable description: 7 Domestic cooperation

This variable assesses whether, when required, the country’s relevant agencies cooperate effectively and coordinate domestically with each other, at the policy and operational levels, to combat environmental and natural resource sector crimes and related money laundering.

#### Assessment criteria

- Part of the assessment should be based on the analysis from NRA Module 2 “National Vulnerability”, Variable 14—“Effectiveness of Domestic Cooperation,” which should be referenced. This variable is included in an annex below.

In addition, the assessment should be carried out by answering the following questions:

- Has your country established mechanisms to ensure that agencies in charge of combating environmental crimes, intelligence services, investigators, regulators, and customs and tax



- authorities meet regularly to share information and discuss joint initiatives?
- Have any joint committees and structures been established to exchange intelligence and information?
  - Are prosecutors of financial crime, asset forfeiture investigators, financial intelligence unit (FIU), and anti-corruption agencies involved in these initiatives?
  - Has your country adopted a legal framework that allows for joint investigations by relevant investigative units? Are such investigations being undertaken? Please describe.
  - Is there effective cooperation between relevant AML agencies and reporting entities?
  - Is there a fully functional interagency cooperation committee or a similar high-level committee to share and establish joint strategies at the policy level?
  - What are the strengths of your country’s domestic cooperation regarding the inclusion of the ENV crime agencies? Illustrate as far as possible by concrete cases in the jurisdiction.
  - What are the weaknesses in the domestic cooperation across these same agencies? Illustrate as far as possible by concrete cases in the jurisdiction.

**Assessment**

Based on the assessment criteria and the information/data collected, decide the appropriate rating for this variable. How well do domestic agencies cooperate to tackle environmental and natural resource crimes and money laundering?

Excellent	Close to Excellent	Very High	High	Medium High	Medium	Medium Low	Low	Very Low	Close to Nothing	Does not Exist
1.0	0.9	0.8	0.7	0.6	0.5	0.4	0.3	0.2	0.1	0.0

**Annex 7B: Variable description: NRA Module 2, Variable 14 – Effectiveness of Domestic Cooperation**

This variable assesses whether, when required, the country’s relevant AML agencies cooperate effectively and coordinate domestically with each other to combat money laundering.

**Assessment criteria**

Relevant AML agencies can cooperate and coordinate effectively, when required, if

- The FIU, intelligence services, investigators of financial crime, asset forfeiture investigators, regulators, customs and tax authorities, and the prosecutors of financial crime (when appropriate) meet regularly to share information and discuss joint initiatives, especially when they have joint committees and structures that meet regularly to exchange intelligence and information.
- There is a legal framework that allows for joint investigations by relevant investigative units and such investigations are undertaken, when required.
- There is effective cooperation between relevant AML agencies and reporting entities.
- There is a fully functional interagency cooperation committee or similar high-level committee in the AML area, such as the National AML/CFT Coordination Committee.

**Possible sources of information and data**

- Experience of relevant AML and other domestic agencies
- Information on any operational coordination and cooperation issues among law enforcement, the FIU, prosecutors, judicial authorities, and supervisory agencies
- Information on cooperation between relevant AML agencies and reporting institutions
- Information on an interagency cooperation committee or similar high-level committee in the AML area, such as the National AML/CFT Coordination Committee. Which agencies are represented on this committee? How often does this committee meet? How effectively does it work? What have been the outcomes of the committee’s activities so far?
- How many joint investigations have been conducted so far? Please give details.

**Non-profit Organizations (NPOs)**

**Variable description : 8 Non Profit Organizations (NPOs)**

This variable assesses to what extent NPOs (including NGOs) are participating in the fight against ENV crimes, including how the information they obtain supports the development of intelligence on ENV violations and is being used in the different phases of legal proceedings (investigations, prosecutions, arrest, follow-up of the enforcement of the sentence, and management of the seizure of animals or plants).

**Assessment criteria**

- To what extent are NPOs that specialize in ENV protection able to deploy resources, including funding, needed to carry out their functions, free from any undue political, governmental, or industrial influence or interference?
- Are there public/NPO partnerships that provide financial, logistical, or other support for the suppression or investigation of environmental and natural resource related offenses? If so, what influence do they have on the work of the enforcement authorities?
- To what extent is information that NPOs provide to competent authorities—including in transit countries—being used in the detection, investigation, and prosecution of environmental crimes and

related ML, as well as other related offenses (such as corruption)?

- Are there any impediments, including legal, to the use of NPOs’ intelligence/information in legal proceedings?
- Do you have statistics on cases initiated because of information or intelligence coming from NPOs in your country, including involving transshipments and related fraud (such as switch-bill of ladings)?
- Are NPOs involved in the management of parks or in other ways in the preservation of environmental resources in your country, including in the management of frozen, seized, or confiscated animals or plants, and, when necessary, in the disposal of such property?  
Are NPOs allowed to become civil parties/plaintiffs in ENV crime cases to defend the general interest?

### Assessment

Based on the assessment criteria and the information/data collected, decide the appropriate rating for this variable. To what extent are NPOs, and the intelligence/information they gather, being used in the fight against environmental and natural resource crimes in your country?

Excellent	Close to Excellent	Very High	High	Medium High	Medium	Medium Low	Low	Very Low	Close to Nothing	Does not Exist
1.0	0.9	0.8	0.7	0.6	0.5	0.4	0.3	0.2	0.1	0.0

## International Cooperation

### Variable description: 9 – International cooperation

This variable assesses whether the country actively and effectively renders and requests international cooperation relating to environmental and natural resource crimes, as well as related money laundering, associated predicate offenses, related financial crime investigations and prosecutions, and asset forfeiture matters. It is important to consider international cooperation not just by law enforcement authorities but also by supervisory, customs, and other relevant authorities, such as international and regional networks, engaged in both ENV/natural resource crime and related money-laundering cases.

### Assessment criteria

Part of the assessment should be based on the analysis from NRA Module 2 “National Vulnerability”, Variable 15—“Effectiveness of International Cooperation,” which should be referenced. This variable is included in an annex below.

In addition, the assessment should be carried out by answering the following questions:

- Does the country have a broad legal basis and mechanisms in place for providing assistance, including authority under international and regional conventions, mutual legal assistance treaties or other agreements, and reciprocity?
- Does the country provide international cooperation in relation to environmental and natural resource sector crime cases?
  - Is this on a formal or an informal basis?
  - Is your country a party to treaties to facilitate cooperation on environmental and natural resource crime cases? Have they been used? The following are examples:
    - Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)
    - United Nations Convention against Transnational Organized Crime (UNTOC)
    - Convention on Biological Diversity

- Convention Concerning the Protection of the World Cultural and Natural Heritage
- UNEP’s Basel, Rotterdam, and Stockholm conventions (BRS) on protecting human health and the environment from hazardous chemicals and wastes
- Through regional networks such as the Wildlife Crime Working Group/Egmont
- Has your country entered bilateral agreements/Memoranda of Understanding (MOU) specifically focused on combating environmental and natural resource sector crimes?
  - Is the geographical coverage of these agreements in line with the risks to which your country is exposed in relation to environmental and natural resource sector crimes?
  - Please list countries with which having an agreement would facilitate the detection, investigation, and prosecution of environmental and natural resource sector crime cases.
- Does your country have defined channels and processes to enable cooperation on environmental and natural resource sector crime cases?
  - Can a Joint Investigative Team be established with another jurisdiction on environmental and natural resource sector crime cases? Has this occurred?
- Does your country have arrangements with other countries for the exchange of police liaison officers?
  - Are there foreign police officers in the country? If so, from what country or countries?
  - How do they work with the national police?
  - What is their view of the existing law enforcement cooperation with the country?
- What are the strengths of your country’s international cooperation regarding environmental and natural resource sector crime cases? Illustrate as much as possible by actual cases in the jurisdiction.
- What are the weaknesses in the international framework regarding cooperation on ENV crime cases? Illustrate as much as possible by concrete cases in the jurisdiction.

#### Assessment

Based on the assessment criteria and the information/data collected, decide the appropriate rating for this variable. How well does your country cooperate on environmental and natural resource crimes and money laundering internationally?

Excellent	Close to Excellent	Very High	High	Medium High	Medium	Medium Low	Low	Very Low	Close to Nothing	Does not Exist
1.0	0.9	0.8	0.7	0.6	0.5	0.4	0.3	0.2	0.1	0.0

#### Annex 7C: Variable description: NRA Module 2, Variable 15—Effectiveness of International Cooperation

This variable assesses whether the country actively and effectively renders and requests international cooperation in relation to money laundering, associated predicate offenses, related financial crime investigations and prosecutions, and asset forfeiture matters. Please consider international cooperation not just by law enforcement authorities but also by supervisory, customs, and other relevant authorities.

### **Assessment criteria**

A country actively and effectively renders and requests international cooperation in relation to money laundering, associated predicate offenses, related financial crime investigations and prosecutions, and asset forfeiture matters if the following characteristics exist in that country:

- The country has a broad legal basis and mechanisms in place for providing assistance, including authority under international and regional conventions, mutual legal assistance treaties, Memoranda of Understanding or other agreements, and reciprocity.
- The country provides the widest possible range of mutual legal assistance (MLA), pre-MLA assistance, and informal information or intelligence. Evidence, information, and intelligence are shared rapidly, constructively, and effectively in relation to money laundering, associated predicate offenses, related financial crime investigations and prosecutions, and asset forfeiture matters.
- When requested or required, the country provides international cooperation on an urgent basis.
- The country provides basic and beneficial ownership information of legal entities and legal arrangements formed or administered in or from the country in a timely manner in response to requests from foreign supervisors and law enforcement authorities, including tax authorities.
- There is an ability to coordinate ML investigations or forfeiture actions with counterparts in other countries.
- The country can provide assistance in response to requests for cooperation made on the basis of NCB proceedings and related provisional measures.
- The authorities responsible for MLA (such as a central authority) are provided with adequate financial, human, and technical resources.
- The central authority effectively coordinates the work of domestic agencies to help ensure that the MLA requests are responded to in a timely manner.
- The country uses international law enforcement networks, such as Egmont and Interpol, for information and intelligence sharing.

Also please consider the role of the FIU in international cooperation in criminal matters.

The WG should consider both formal MLA and informal/pre-MLA exchanges (FIU/FIU, police/police, customs/customs, and prosecutor/prosecutor and so on) when assessing the country's effectiveness in rendering and requesting international legal assistance in relation to money laundering, associated predicate offenses, related financial crime investigations and prosecutions, and asset forfeiture matters.

### **Possible sources of information and data**

- Information on the legal basis for the country's international cooperation (including reciprocity)
- Experience of the FIU, law enforcement agencies, customs officials, prosecutors, and tax and supervisory authorities regarding international cooperation
- Experience of the relevant central authority regarding international cooperation
- Feedback from foreign counterparts on the quality and timeliness of responses to their requests and their experiences in responding to requests from the country
- Statistics on ML/AF-related international cooperation requests made by the jurisdiction and responses from other jurisdictions. These statistics should be from the central authority for MLA requests, as well as from the FIU, law enforcement, and supervisory, tax, and other relevant authorities and should include the number of the cases, with country breakdown, nature of the cases, and amounts of proceeds of crime involved

- Statistics on ML/AF-related international cooperation requests received by the jurisdiction and its response (number of the cases with country breakdown, nature of the cases, and amounts of proceeds of crime involved)
- Statistics on ML/AF-related assistance requests rejected and the reason for rejection
- Data as to the length of time it takes the country to respond to informal/pre-MLA, and formal MLA requests for assistance
- Data on number of requests for basic and beneficial ownership information of legal entities formed or administered in or from the country (if possible, by form of entity).
- Data on number of requests for beneficial ownership information of legal arrangements formed or administered in or from the country (if possible, by form of arrangement)
- Working Group discussion of the problems faced with international cooperation, including enforcement of foreign NCB orders
- Information on the country's use of the Egmont Group (if a member) and Interpol as channels for informal information/intelligence sharing
- Information on participation in international or regional networks by law enforcement and prosecutors
- Information on some of the important aspects of information/intelligence-sharing requests:
  - Do the FIU, police, prosecutors, tax authorities, supervisors, and other relevant authorities have a statutory mandate that authorizes the exchange of information with foreign counterparts?
  - Are exchanges subject to constraints or limitations?
  - Do the FIU, police, prosecutors, tax authorities, supervisors, and other relevant authorities respond to requests for information from foreign counterparts? Do they use the power to exchange information on a regular basis? Do they disclose information proactively/spontaneously (in the absence of a request from a foreign counterpart)?
  - How long does it take to respond to requests for information?

### **Use of Experts**

#### **Variable description: 10 Use of experts**

This variable assesses the degree to which agencies involved in environmental and natural resource crime and money-laundering casework have access to experts to support investigations and prosecutions.

#### **Assessment criteria**

- What is the situation in the country regarding forensic examination? Are dedicated crime scene investigation services available? Does the country have forensic labs to support casework (such as DNA testing)?
- Do the agencies have an established process/procedure on how, when, and why an expert will be employed?
  - Give examples of the type of experts used.
- Do the agencies have a budget allocation for employing experts?
- Do the agencies have a process to develop in-house expertise? Describe.
- Looking at the complexity of many environmental and natural resource crimes and money-laundering cases, has the lack of available experts been an impediment to advancing a case? Provide examples.

#### **Assessment**

Based on the assessment criteria and the information/data collected, decide the appropriate rating for

this variable. Is the level of access to and use of experts acceptable in environmental and natural resource crime and money-laundering casework?

Excellent	Close to Excellent	Very High	High	Medium High	Medium	Medium Low	Low	Very Low	Close to Nothing	Does not Exist
1.0	0.9	0.8	0.7	0.6	0.5	0.4	0.3	0.2	0.1	0.0

### Public Awareness and Private Sector Involvement

#### Variable description: 11 Public awareness (around crimes affecting the environment and natural resources)

This variable assesses the degree to which the public (including local communities directly affected) and the private sectors, including reporting entities and companies in key resource sectors, are aware of environmental and natural resource sector crime issues and are involved in the broader management or oversight of natural resources, as well as in detection of environmental and natural resource crime. Studies show that ENV crime issues have a broad impact on a country's well-being, so assessing the degree to which the public and private sectors are aware of and engaged around ENV issues is important. Transit countries, especially countries with important free-trade zones, should encourage private sector awareness, including in the freight forwarding industry, about external environmental and natural resource crime threats.

#### Assessment criteria

- Are the public and local communities, as well as private sector actors, aware of the impact of environmental and natural resource sector crime?
- Have outreach campaigns and other sensitization actions been organized on the impact of internal and external environmental and natural resource crimes targeting reporting entities and companies in key resource sectors in the country?
- Are environmental and natural resource sector crime prosecutions publicized?
  - How well informed are the public and private sector actors of where and how environmental and natural resource crimes are being committed?
- Are the public and local communities, as well as the private sector actors, encouraged to report environmental and natural resource sector crimes?
- Are domestic environmental and natural resource sector crime laws known and understood by the public and local communities, as well as the private sector, including in the freight forwarding industry?
  - Are endangered species lists published?
- Are there public/private partnerships in place to combat environmental and natural resource sector crimes?

#### Assessment

Based on the assessment criteria and the information/data collected, decide the appropriate rating for this variable. How aware and involved is the public in environmental and natural resource crime and resource issues in your country?

Excellent	Close to Excellent	Very High	High	Medium High	Medium	Medium Low	Low	Very Low	Close to Nothing	Does not Exist
1.0	0.9	0.8	0.7	0.6	0.5	0.4	0.3	0.2	0.1	0.0

## **Capacity of the Customs and Border Authorities**

### **Variable description: 12 Capacity of the customs and border forces**

This variable assesses whether the customs and border forces are effectively participating in the fight against environmental and natural resource sector crimes. It also assesses whether the customs and border forces' analytical capabilities are being used for the detection, analysis, and dissemination of financial intelligence and information on these crimes and related money laundering or terrorism financing, and consequently support the investigation of these crimes, including asset forfeiture investigations.

### **Assessment criteria**

\* Part of the assessment should be based on the analysis from NRA Module 2 "National Vulnerability", Variable 11—"Quality of Border Controls"; Variable 12 "Comprehensiveness of Customs Regime on Cash and Similar Instruments"; and Variable 13 "Effectiveness of Customs Controls on Cash and Similar Instruments," which should be referenced. These variables are included in annexes below.

In addition, the assessment should be carried out by answering the following questions:

- Are there law enforcement officers (customs and border forces) at points of entry and exit (ports, airports, routes) that are aware of and trained (for example, in CITES requirements and the identification of specimens) in detecting and responding to environmental and natural resource crimes?
- Are there enough staff members to control all the borders of the country? Do they have the capacity to extend border controls over the whole territory of the country?
- Do law enforcement officers (customs and border forces) at points of entry and exit have equipment, tools, and materials (such as dogs and scanners) to detect and respond to environmental and natural resource crimes?
- Are law enforcement officers (customs and border forces) at ports of entry and exit empowered by national legislation to inspect consignments suspected of containing illegal environmental and natural resource products, and to seize and confiscate these consignments?
- Have measures been implemented to prevent commercial carriers (airlines, shipping lines, trucking companies) from being used for trafficking purposes, including to establish that cargo is properly documented and to provide sanctions for noncompliance with such obligations?
- Do the customs and border forces participate in or initiate multidisciplinary law enforcement operations targeting environmental and natural resource crimes? Are there formalized cooperation agreements between customs and agencies in charge of fighting these crimes, including with the CITES Management Authority?
- Do customs and border forces systematically exchange information with the FIU, prosecutors, and judges or other national competent authorities when they conclude settlement agreements? Do they collect and keep information of schemes and patterns of trafficking?
  - Provide statistics on seizures related to ENV crimes (covering 3 to 5 years).
- What systems and procedures are in place for managing, storing, auditing, and disposing of confiscated environmental and natural resource sector products?
- Do customs and border forces exchange information with foreign counterparts within the framework of bilateral agreements/MOU specifically focused on combating environmental and natural resource sector crimes?



### Assessment

Based on the assessment criteria and the information/data collected, decide the appropriate rating for this variable. How well do the customs and border forces participate in the fight against environmental and natural resource crimes?

Excellent	Close to Excellent	Very High	High	Medium High	Medium	Medium Low	Low	Very Low	Close to Nothing	Does not Exist
1.0	0.9	0.8	0.7	0.6	0.5	0.4	0.3	0.2	0.1	0.0

### Annex 7Di: Variable description: NRA Module 2, Variable 11 Quality of Border Controls

This variable assesses whether the geographical circumstances and border control mechanisms of the country render it secure against any attempts to smuggle bulk cash, precious stones, and so on into or out of the country.

#### Assessment criteria

Border controls of the country are weak if the following are true:

- The border controls are too loose, and it is relatively convenient to cross borders illegally because of the absence of geographical or natural barriers or the proximity of the border to the road network or urban areas.
- Some of the country's borders are known as routes for smuggling trade goods, people, drugs, arms, and so on, and can also be abused for smuggling cash.

If specific information about cash smuggling is not available, please take into account the volume, trends, and methods of other types of smuggling through illegal border passages.

#### Possible sources of information and data

- Interviews with border patrol agencies
- Statistics on cross-border cash smuggling
- Interviews with members of communities that are vulnerable to being used for cross-border smuggling
- Publications and reports on cross-border cash smuggling

### Annex 7Dii: Variable description: NRA Module 2, Variable 12 —Comprehensiveness of Customs Regime on Cash and Similar Instruments

This variable assesses whether the country has a comprehensive and well-designed legal and regulatory framework that effectively informs all travelers entering and leaving the country about their AML/CFT-related declaration or disclosure obligations and the consequences of any wrongdoing and allows the authorities to effectively detect and deter any illegal physical cross-border transportation of cash, bearer negotiable instruments, and precious metals and stones.

Please note that this variable focuses only on the comprehensiveness of the AML legal and regulatory framework for customs regime on cash and excludes the assessment of implementation and actual effectiveness, which are being assessed under a separate input variable.

#### Assessment criteria

The country's customs regime is comprehensive if the country has a legal and regulatory regime in place to do the following:

- Detect the physical cross-border transportation of currency and bearer-negotiable instruments
- Stop or restrain currency and bearer-negotiable instruments that are suspected of being related to money laundering
- Stop or restrain currency or bearer-negotiable instruments that are falsely declared or disclosed—on suspicion of ML or predicate offense(s)
- Apply appropriate sanctions for making a false declaration or disclosure
- Enable confiscation of currency or bearer-negotiable instruments as well as precious metals, stones, and other precious mineral commodities that are related to money laundering

This variable also takes into account the cross-border transportation of precious metals and stones, which can be abused for value transfer purposes. When deciding on the rating for this variable, therefore, please also consider the comprehensiveness of laws, regulations, and declaration/disclosure requirements relating to precious metals and stones.

#### **Possible sources of information and data**

- Relevant customs laws and regulations
- Experience and views of customs authorities, including any previous assessments or studies

#### **Annex 7Diii: Variable description: NRA Module 2, Variable 13—Effectiveness of Customs Controls on Cash and Similar Instruments**

This variable assesses whether the country enforces the customs laws and regulations effectively and is able to actually detect and deter any attempt to illegally transport cash, negotiable instruments, and precious metals and stones.

#### **Assessment criteria**

The customs controls on cash and similar instruments are effective if the country does the following:

- Effectively informs all the passengers with respect to any limitations on transportation of cash, their relevant declaration/disclosure duties, and the legal consequences of any violations
- Effectively enforces the declaration/disclosure requirements and ensures that most people appropriately declare cash/negotiable instruments while entering or exiting the country
- Has adequate screening procedures and equipment, as well as adequate human capacity to do the screening and random or risk-based physical search, to detect unauthorized/illegal transportation of cash by persons while entering or exiting the country and does this screening and physical search effectively. (For example, some countries have trained dogs to detect bulk cash. This kind of practice will improve the effectiveness significantly.)
- Has adequate screening procedures and equipment, as well as adequate human capacity to do the screening and random or risk-based physical search, to detect unauthorized/illegal transportation of cash in vehicles and shipping containers while entering or exiting the country and does this screening and physical search effectively
- Effectively applies the appropriate measures and sanctions for failing to declare and for unauthorized/illegal transportation of cash, negotiable instruments, and precious metals and stones. The controls are equally effective for incoming and outgoing cash.

#### **Possible sources of information and data**

- Surveys or interviews with customs authorities
- Public information and news on unauthorized/illegal transportation of cash, negotiable instruments, and precious metals and stones
- Academic reports, studies on unauthorized/illegal transportation of cash, negotiable instruments, and precious metals and stones
- Interviews with government agencies and financial sector representatives from regions where customs are located
- Statistics on declarations of cash (and similar instruments)
- Statistics on sanctions applied for failures to declare transportation of cash
- Statistics on bulk cash smuggling cases and detected amounts
- Statistics on sanctions applied to smuggling of cash (and similar instruments)
- Interviews with market players (particularly the ones engaged in international trade)
- Surveys or interviews with immigrant/migrant communities (if any), including civil society organizations representing or knowledgeable about such communities

## Incentives and Protection for Reporting

### Variable description: 13 Incentives and protection for reporting

This variable assesses whether the jurisdiction has adopted mechanisms or programs to protect witnesses and whistleblowers of environmental violations.

This variable also assesses whether such mechanisms or programs encourage witnesses and whistleblowers to come forward to assist law enforcement and prosecutors by giving testimony in a judicial setting or cooperating with investigations without fear of intimidation, reprisal, or harm that criminal groups may seek to inflict upon them to discourage or punish them from cooperating with the criminal justice system.

#### Assessment criteria

- Has the jurisdiction enacted a comprehensive legal framework or a policy for the establishment of witnesses' and whistleblowers' protection? These measures might include anything from allowing witnesses to testify from a remote location through video-conferencing technology to physically relocating them to an undisclosed location and the possibility of testimony under covert identity (the actual identity is kept secret in an original procedure kept in a safe and undisclosed location).
- Has the jurisdiction allocated adequate financial resources to ensure the protection of witnesses and whistleblowers of environmental violations and their relatives and other persons close to them?
- Has the jurisdiction implemented an appropriate safeguarding framework for information disclosed to public authorities?
- Has the jurisdiction put in place a way for judicial and other law enforcement and intelligence authorities; prison administrators; and services such as public housing and health to coordinate, as needed, for the protection of witnesses and whistleblowers?
- Has the jurisdiction set up a specific system for allowances/incentives and reimbursement of expenses for witnesses and whistleblowers? Specify the legal framework, the amount, and the modalities of implementation.
- Does the jurisdiction have the power to decide on a partial sentence reduction for witnesses and whistleblowers, in coordination with judicial and other law enforcement and intelligence authorities; prison administrators; and public housing, health, and social security services, among others?

#### Assessment

Based on the assessment criteria and the information/data collected, decide the appropriate rating for this variable. Is the level of protection provided by your country to witnesses and whistleblowers conducive to reporting environmental and natural resources violations and supporting law enforcement in their actions?

Excellent	Close to Excellent	Very High	High	Medium High	Medium	Medium Low	Low	Very Low	Close to Nothing	Does not Exist
1.0	0.9	0.8	0.7	0.6	0.5	0.4	0.3	0.2	0.1	0.0

## Effective Use of Information

### Variable description: 14 Effective use of information

This variable assesses the overall effectiveness of how a jurisdiction gathers, collates, analyzes, and disseminates information on environmental and natural resource crimes (wildlife, forest, fisheries resources, mines). This effort is separate to and broader than the intelligence provided by the FIU, because an effective enforcement system is known to require the use of information that

- informs strategies and policies at the regional, national, and international level,
- informs day-to-day tactical decisions of frontline staff,
- and develops operational plans to disrupt and investigate criminal groups or individuals engaging in environmental and natural resource crime, including organized crime and corruption.

### Assessment criteria

Cite examples that show the effective use of information in informing strategies and in tactical and operational work—both preventative and enforcement. In citing these examples, refer also to the following underlying criteria that allow the assessment of the quality of the intelligence system:

- Is there an established framework (policies/practices) that covers the intelligence cycle (collection; evaluation; analysis, dissemination, and direction) for environmental and natural resource crimes? Explain.
- How do staff members from the relevant agencies exchange and share this information?
- How is this intelligence stored and who can access it? Can this intelligence be shared with foreign agencies?
- Are agencies that are involved in combating environmental and natural resource crimes aware of and able to use covert techniques (controlled deliveries, listening devices, tracking, undercover agents, covert searches, dark web searches, and so on)? What restrictions are in place regarding the use of such techniques? Do guidelines exist? Specify the legal framework and whether your jurisdictions have used these special investigative techniques.
- What training is provided on gathering and use of information? Who receives the training (for example, field staff)?
- Is there an intelligence unit dedicated to identifying environmental and natural resource crimes? How does this unit liaise across all relevant agencies (customs, FIUs, police, and prosecutors)?
- Beyond the FIU, how is information/intelligence received and shared internationally?

### Assessment

Based on the assessment criteria and the information/data collected, decide the appropriate rating for this variable. Does the country demonstrate an effective system for gathering, collating, analyzing, and sharing intelligence on environmental and natural resource crimes domestically and internationally?

Excellent	Close to Excellent	Very High	High	Medium High	Medium	Medium Low	Low	Very Low	Close to Nothing	Does not Exist
1.0	0.9	0.8	0.7	0.6	0.5	0.4	0.3	0.2	0.1	0.0

## Capacity of Preventative Authorities

### Variable description: 15 Capacity of preventative authorities

This variable assesses the legal functions and the means allocated to bodies to prevent environmental and natural resource sector crimes. The response to organized environmental and natural resource sector crime requires that the funding of preventative bodies is appropriate to their missions, and that they work together on multiple levels to prevent environmental and natural resource sector crimes.

\*For transit countries, this variable could be analyzed through assessing the capacity of authorities in charge of free-trade zones, unless these activities are managed by customs authorities, which would be covered in variable 12. In this latter case, this variable may not be relevant and the tool provides an option to assess this variable as “not applicable.”

### Assessment criteria

This variable should be informed by considering and referencing the activities of the specific authorities principally involved in preventative activities, such as the ministries of forestry, mining, fishing, and wildlife. Answer the following:

- Does each category of crime to which the jurisdiction is exposed have a designated body in charge of disclosing and publishing in a timely manner the following information about the sector?
  - Overview of the sector, including significant exploration activities
  - Total production volumes
  - Value of production by commodity
  - Commodity values by state and region
  - Total export volumes by commodity and region
- Are there specific provisions enacted by the jurisdiction empowering preventative authorities to impose preventative measures?

Are these activities informed from intelligence? Are they adapted to the country’s geographical factors (such as vastness of the territory and difficult access to parts of it)?

- Do sufficient mandatory oversight and safeguard procedures exist to monitor effectiveness of implementation of preventive measures? Do effective and mandatory processes exist to ensure remedial actions are taken when it becomes clear preventative measures have broken down or become ineffective?
- Are preventative bodies sufficiently resourced logistically in respect to the vastness of the territory of the jurisdiction (and other geographic factors) and commensurately with the environment and natural resource crime threats? Do preventative authorities use special equipment/systems to determine patrol routes and checkpoints along main road trade routes, roads, rivers, natural sites (using drones and so on), and airports (using X-ray machines)? To what extent do the designated authorities for each crime have the capacity to carry out their functions freely, including autonomous decisions to analyze cases and forward those cases or to coordinate their actions with other authorities to combat crimes?
- Did members of preventative authorities develop a specific expertise to effectively perform their missions in environmental and natural resource matters? What training do they receive?
- Do the preventative agencies engage with communities to raise awareness of the impact of

the environmental and natural resource crime threats? How are customary issues addressed with the affected communities?

- Are agencies that administer environmental and natural resources transparent?
- Are procedures and decision-making processes published?
- Are resources allocated in a transparent way?
- Are public consultations held over resource use?
- Are new technologies being used to improve access to information?
- Do the corrective measures link poverty reduction with the sustainable use of environmental and natural resource resources? Illustrate as much as possible by concrete examples in the jurisdiction.
- Have the preventative measures implemented reduced environmental and natural resource crimes? Provide examples.
- Which tools are used by law enforcement bodies to assess monitoring systems implemented by the reporting entities to comply with their obligations related to environmental and natural resource crimes? Illustrate as much as possible by concrete examples in the jurisdiction.

#### Assessment

Based on the assessment criteria and the information/data collected, decide the appropriate rating for this variable. How well do preventative authorities reduce the impact and occurrence of environmental and natural resource crimes?

Excellent	Close to Excellent	Very High	High	Medium High	Medium	Medium Low	Low	Very Low	Close to Nothing	Does not Exist
1.0	0.9	0.8	0.7	0.6	0.5	0.4	0.3	0.2	0.1	0.0

### STR Reporting

#### Variable description: 16 Suspicious transaction reports (STRs)

This variable assesses the number and the quality of suspicious transaction reports (STRs) and other useful information reported to the FIU to allow this body to support the detection of environmental and natural resource sector crimes and related money laundering of the proceeds of these crimes.

This variable also assesses whether the FIU provides reliable, accurate, and up-to-date information, feedback, guidelines, and awareness-raising to reporting entities to help them better understand their exposure to environmental and natural resource sector crimes and related money-laundering risks.

#### Assessment criteria

- Has any STR related to environmental crimes been filed with the FIU?
  - Provide statistics on the breakdown of STRs by categories of entities in the financial and nonfinancial sectors or other.
- Has any other information provided to the FIU (by public sector actors, NPOs, private sector actors that are not reporting entities, including freight companies, and so on) led to the detection of money-laundering and terrorism-financing activities related to environmental crimes?
  - Provide statistics, including by source of this information.
- To what extent does the FIU disseminate to reporting entities information analysis/typologies/trends on the country's exposure to environmental and natural resource crimes?
  - Have training events or awareness-raising sessions taken place?

- Has the FIU issued guidelines for reporting entities to help improve the detection of money laundering related to environmental and natural resource crimes through the application of customer-due-diligence measures?
- What are the other actions or measures implemented to encourage reporting entities such as NPOs, as well as other relevant private actors (such as freight companies) to provide relevant information to the FIU? Are there any impediments to the access of information?

#### Assessment

Based on the assessment criteria and the information/data collected, decide the appropriate rating for this variable. To what extent does the FIU receive quality STR/other information that supports the detection of environmental and natural resource crimes and related money laundering?

Excellent	Close to Excellent	Very High	High	Medium High	Medium	Medium Low	Low	Very Low	Close to Nothing	Does not Exist
1.0	0.9	0.8	0.7	0.6	0.5	0.4	0.3	0.2	0.1	0.0

### Capacity of FIU

#### Variable description: 17 Capacity of the FIU

This variable assesses whether the analytical capabilities of the financial intelligence unit (FIU) are being used for the detection, analysis, and dissemination of financial intelligence and information on environmental and natural resource crimes and related money laundering or terrorism financing, and consequently support the investigation of these crimes, including asset forfeiture investigations.

#### Assessment criteria

\*Part of the assessment should be based on the analysis from NRA Module 2 “National Vulnerability”, Variable 4—Quality of FIU Intelligence Gathering and Processing, which should be referenced. This variable is included in an annex below.

In addition, the assessment should be carried out by answering the following questions:

- Based on your assessment of the quality of FIU intelligence gathering and processing in Module 2, would you consider that the FIU is adequately staffed (with skilled and trained resources) and funded to understand and contribute to the detection, analysis, and dissemination of financial information related to environmental and natural resource crimes?
- How well does the FIU make use of the information contained in STRs to develop its operational expertise in the fight against environmental and natural resource crimes? To what extent are financial intelligence and other relevant information used to develop evidence and trace criminal proceeds related to money laundering of environmental and natural resource crimes?
- To what extent is the FIU providing quality information to other competent authorities (such as forestry officials, wildlife rangers, law enforcement, anti-corruption and supervisory authorities, and customs and border authorities) to assist in the investigation/prosecution of environmental and natural resource sector crimes and related offenses?

#### Assessment

Based on the assessment criteria and the information/data collected, decide the appropriate rating for this variable. What is the ability of the FIU to perform its functions in combating money-laundering or terrorism-financing activities related to environmental and natural resource crimes?

Excellent	Close to Excellent	Very High	High	Medium High	Medium	Medium Low	Low	Very Low	Close to Nothing	Does not Exist
1.0	0.9	0.8	0.7	0.6	0.5	0.4	0.3	0.2	0.1	0.0



**Annex 7E: Variable description: NRA Module 2, Variable 4 Quality of FIU intelligence Gathering and Processing**

The FIU would be able to carry out its functions effectively when it (1) has adequate capacity and resources, and (2) has the independence and autonomy to perform its activities without fear or favor. “Capacity” includes the skills, experience, and powers to trigger and support ML and AF investigations.

**Assessment criteria**

The FIU is able to function effectively and efficiently if it meets these criteria:

- It is adequately structured, funded, and staffed by persons who have appropriate training and skills (including specialized training regarding financial crimes [including ML and AF], financial products, and financial processes); and it is provided with sufficient financial, technical, and human resources to perform its functions.
- It has sufficient operational independence and autonomy, free from any undue political, government, or industry influence or interference, to carry out its functions freely, including the autonomous decision to analyze, request, and disseminate specific information.
- Safeguards are in place to preserve the integrity of the staff (in law and in practice).
- The FIU staff members maintain high professional standards (including those related to confidentiality and integrity).

**Possible sources of information and data**

- Describe the type of data that the FIU can access to support its analysis. Does the FIU have access to databases of other domestic agencies for its analysis? Is the FIU able to obtain additional financial information from the reporting entity on an STR? Can the FIU obtain information from an entity that has not filed an STR, but where follow-up is deemed necessary, based on an STR filed by another entity? Is the FIU able to obtain financial information from a regulated entity where no STR has been filed? Is the FIU using publicly available information? Is remittance data available to the FIU?
- Information on the types and quality of analysis on STRs by the FIU (regional breakdown, trends, reported amount, and so on).
- When possible, provide feedback from law enforcement, prosecution, supervisory authorities, and the private sector as to the efficacy of the STR and threshold transaction reporting system and analysis produced by the FIU and usefulness in investigations and prosecutions (for the private sector, also ascertain the quality of feedback received on STRs filed).
- Is the FIU established as part of an existing authority? If so, are the FIU’s core functions distinct?
- Perception indexes and surveys on level of corruption/integrity of the FIU
- Statistics on integrity breaches by the FIU
- Information and statistics on the FIU’s capacity to detect cross-border activities
- Information and statistics on the FIU’s information and intelligence-sharing with foreign counterparts and other relevant authorities, including whether it is a member of the Egmont Group

## Capacity of Criminal Law Enforcement

### Variable description: 18 Capacity of criminal law enforcement

This variable assesses whether investigators of environmental and natural resource crimes and money-laundering offenses and associated predicate offenses are effective in conducting investigations.

#### Assessment criteria

\*Part of the assessment should be based on the analysis from NRA Module 2 “National Vulnerability”, Variable 5—Capacity and Resources for Financial Crime Investigation, which should be referenced. This variable is included in an annex below.

In addition, the assessment should be carried out by answering the following questions:

- In addition to the financial crime investigation evaluation, does the country have a dedicated resource to investigate environmental and natural resource crime cases? What is this body?
  - What is the agency’s mandate?
  - Does it have specific legislation governing its mandate?
  - Is this agency effectively resourced—logistically and in respect of human capital?
  - Do staff members have the necessary training and skills to effectively investigate all types of environmental and natural resource crimes cases, including the associated money flows? Describe, if so, which specific trainings are provided.
- At the community level, what law enforcement resources are dedicated to environmental and natural resource crime cases?
  - What role does the public play?
  - How is this managed?

Illustrate as much as possible by concrete examples in the jurisdiction.

- In regard to criminal law enforcement:
  - What are the strengths when combating environmental and natural resource crimes?
  - Where can improvements be made to combat environmental and natural resource crimes?

Illustrate as much as possible by concrete examples in the jurisdiction.

#### Assessment

Based on the assessment criteria and the information/data collected, decide the appropriate rating for this variable. How effective is law enforcement in investigating environmental and natural resource crimes and money-laundering cases?

Excellent	Close to Excellent	Very High	High	Medium High	Medium	Medium Low	Low	Very Low	Close to Nothing	Does not Exist
1.0	0.9	0.8	0.7	0.6	0.5	0.4	0.3	0.2	0.1	0.0

### Annex 7F: Variable description: NRA Module 2, Variable 5—Capacity and Resources for Financial Crime Investigations (Including Asset Forfeiture)

This variable assesses whether the country has adequate capacity and resources to effectively investigate money-laundering offenses, associated predicate offenses, and the proceeds of foreign predicate offenses, including deliberately aiding or facilitating all such offenses. Capacity here includes the skills, experience, and powers required to investigate these offenses effectively.

This variable also assesses whether the country has adequate capacity and resources to effectively identify, trace, and initiate the freezing and seizing of assets derived from the criminal activities. Capacity includes the skills, experience, and powers required to effectively trace, detect, and seize the assets, and successfully forfeit the proceeds, profits, and instrumentalities of crime.

#### Assessment criteria

Investigators of money laundering and associated predicate offenses and asset forfeiture (AF) can function effectively if the following are true:

- The investigative agencies are adequately structured, funded, and staffed by persons with appropriate training and skills in dealing with financial crimes (including ML and AF), as well as in dealing with financial products and financial processes (such training including specialized training in how to trace the flow of proceeds of crime) and are provided with sufficient financial, technical, and other resources to perform their functions.
- The investigative authorities effectively use financial intelligence.
- There is a mechanism in place to ensure that competent authorities have a process to identify assets without prior notice to the owner.
- Money-laundering and asset forfeiture investigators have powers to use compulsory measures for the production of records held by financial institutions, Designated Non-Financial Businesses and Professions, and other natural or legal persons, for the search of persons and premises, for taking witness statements, and for the seizure and obtaining of evidence.
- Investigatory authorities are able to cooperate effectively with other domestic and international investigatory agencies.

In some countries, the work of AF investigators and ML investigators may overlap. In such cases, please assess the capacity of AF investigations and ML investigations separately. ML investigation capacity and AF investigation capacity may not be the same, even if done by the same set of investigators.

#### Possible sources of information and data

- Experiences of investigators, prosecutors, the FIU, and other relevant government authorities regarding capacity and resources for financial crime investigations
- Experiences of the FIU, law enforcement, prosecutors, and judicial and other relevant competent authorities regarding capacity and resources for AF investigations
- A brief explanation of which unit or agency handles the ML investigations. Do ML investigators work in dedicated Financial Crime or AML units, or are they just part of a general function/unit that investigates a variety of offenses?
- A brief explanation of which unit/agency handles the AF investigations. Do ML investigators also conduct AF investigations?
- **Staff:** Statistics on the number of ML/AF investigators (by units and agencies they belong to) and the number of staff involved in ML/AF investigations. Is staffing adequate? Are there any plans to increase the number of staff? Do staff stay in a particular function for an adequate period of time, or are they reassigned regularly (for example, every couple of years)?
- **Skills:** Do ML/AF investigators have the necessary skills and experience? What are their educational and professional qualifications? Do they have sound knowledge of financial products, processes, and financial crime and of ML typologies and AF?
- **Training:** How are ML/AF investigators trained? How many training programs do ML/AF investigators attend? How many hours/days of training are provided? What topics does the training cover? What is the quality of the training? How many ML/AF investigators received the training? Please provide details of the training courses, including materials used.
- What proportion of cases referred by investigators proceeds to prosecution? What proportion of cases proceeds to trial and what proportion of these result in convictions? If the number of convictions is low, please discuss whether the capacity and resources for ML investigations have had any impact.
- Statistics on AF investigations

- Statistics on the portion of traced assets that are subsequently frozen, and whether (and how) capacity and resources of investigators had an impact
- Statistics on seized, frozen, and forfeited assets, and whether (and how) capacity and resources of investigators and prosecutors had an impact

### **Legal Protection for Prosecutors/Judges**

#### **Variable description: 19 Legal protection for prosecutors and judges**

This variable assesses whether prosecutors and judges act with integrity and are protected from undue influence.

#### **Assessment criteria**

\*Part of the assessment should be based on the analysis from NRA Module 2 “National Vulnerability”, Variable 8 –“Integrity and Independence of Financial Crime Prosecutors ” and Variable 10 “Integrity and Independence of Judges”, which should be referenced. These variables are combined in an annex below.

In addition, the assessment should be carried out by answering the following questions:

- Is the judicial staff that conducts environmental and natural resource crime investigations legally protected when performing its duties? Are salaries commensurate with responsibilities and risks involved?
- Does the law establish mechanisms for the monitoring and oversight of the conduct and performance in environmental and natural resource crime cases? Explain.
- Is there a comprehensive integrity or anti-corruption action plan relevant to judicial staff involved in environmental and natural resource crime work? If so, what is covered? Are there any examples of this being implemented?
- Is there a process in place to report colleagues for failures to maintain integrity and professional standards? Is there protection for such whistleblowers?
- What is the perception of those persons involved in environmental and natural resource crime prosecutions? What is the basis of this perception?
- Can prosecutors ask public authorities to provide them all information needed for leading investigations?
- Do prosecutors have the obligation to handle a file received from the FIU?

Illustrate as much as possible by concrete examples in the jurisdiction.

#### **Assessment**

Based on the assessment criteria and the information/data collected, decide the appropriate rating for this variable. Are law enforcement, customs, prosecutors, and judges able to execute their functions without undue influence?

Excellent	Close to Excellent	Very High	High	Medium High	Medium	Medium Low	Low	Very Low	Close to Nothing	Does not Exist
1.0	0.9	0.8	0.7	0.6	0.5	0.4	0.3	0.2	0.1	0.0

**Annex 7G: Variable description: NRA Module 2, Variables 8 & 10 Combined elements from Integrity and Independence of Prosecutors/Judges (Agents)**

This variable assesses whether prosecutors/judges (agents) involved in money-laundering offenses and associated predicate offenses, including proceeds of foreign predicate offenses, can function without fear or favor.

**Assessment criteria**

Agents investigating money laundering and asset forfeiture can act freely, without undue influence, if they enjoy sufficient operational independence and autonomy, display high professional standards, and act with integrity. Among the indications:

- Safeguards are in place to preserve the integrity of the agents (in law and in practice).
- Prosecutions/proceedings into possible money laundering are instituted without interference, political or social pressure, corruption, intimidation, or abuse of office.
- Asset forfeiture processes are instituted or terminated without interference, political or social pressure, corruption, intimidation, or abuse of office.
- The pace or outcome of ML prosecutions and proceedings are not influenced by interference, political or social pressure, corruption, intimidation, or abuse of office.
- Prosecutions/proceedings into allegations of ML offenses by powerful members of society and high-profile criminals are instituted and concluded in an objective and professional manner.

**Possible sources of information and data**

- Experiences of the FIU, law enforcement, prosecutors, and judicial authorities interacting with ML/AF investigators (in relation to integrity and independence)
- Perception indexes and surveys (such as Transparency International's Corruption Perceptions Index) on the general level of corruption/integrity in the country
- Perception indexes and surveys on the level of corruption/integrity of agents
- Statistics on integrity breaches by ML/AF agents
- Please assess the political environment in the country. Is it possible for politicians and other influential people to interfere with ML/AF agents? Are the ML/AF agents well protected (in terms of both the legal framework and in practice) against these political pressures?
- Statistics on the number of complaints received, investigations opened, investigations closed without further action, and investigations concluded and referred for action other than prosecution
- What proportion of cases referred by investigators proceeds to prosecution? What proportion of cases proceeds to trial and what proportion of these result in convictions? If the number of convictions is too low, please discuss whether the integrity of the ML agents has had any impact.
- What proportion of asset freezing orders result in confiscation? If low, discuss whether the integrity of the agents has had any impact.

It may be difficult to ensure objectivity in the assessment of this variable. Even if integrity breaches have not been detected, the assessment of this variable needs to be in accord with the general level of integrity/corruption in the country. In assessing this variable, please consider the impact of external factors, such as political pressure, lack of safeguards, and so on, on the integrity of ML/AF agents.

## **Beneficial Ownership and Directorship of Legal Entities**

### **Variable description: 20 Beneficial ownership & directorship of legal entities**

This variable assesses whether law enforcement, reporting entities, and other key stakeholders (such as cargo handling agents) on the front lines of combating illicit trade in environmental and natural resource products can easily access the beneficial ownership and directorship information of corporations, trusts, or similar legal structures registered in or administered from or within the jurisdiction.

### **Assessment criteria**

\*Countries who have completed NRA Module 2 “National Vulnerability”, would have assessed Variable 22 “Availability and Access to Beneficial Ownership Information.” The present module expands the assessment to ensure consideration to the broader group of stakeholders involved in sector governance and those providing services enabling the movement of the illicit products. If countries have undertaken the NRA of “Legal Persons, Legal Arrangements, and Beneficial Ownership-Related Risks,” then findings of this in-depth assessment should be used in determining this rating.

- Is your national legislation definition of beneficial owner in line with international standards?
- Does it require that the beneficial owner of a legal entity or structure be a natural person? Does the information that is available include the identity of the beneficial owner and the interests he or she holds? Is there a process to ensure that this information is up to date?
- Does your jurisdiction allow or prohibit the formation of bearer share entities? Can a bearer share entity operate in your jurisdiction?
- Does your national legislation place the same legal responsibility on nominee directors as that which exists for directors? Is the information on nominee directors recorded in your corporate registry? Is there a process to ensure that this information is up to date?
- Are there any specific requirements for a foreign registered legal entity that seeks to operate in your jurisdiction? Examples would be if it wishes to own a domestic legal structure, apply for a business license, engage in a procurement process, or conduct other business through your jurisdiction.
- Are there any arrangements in place to obtain and validate information from foreign jurisdictions on beneficial ownership or directorships of legal entities or structures?
- Can beneficial ownership and directorship information of corporations, trusts, or similar entities be accessed in a timely manner by the following?
  - Competent authorities and AML-regulated institutions, businesses, and professions to facilitate their Customer Due Diligence requirements
  - Authorities responsible for the issuing of licenses or arrangements to designated authorities operating in the environment and natural resource sectors
- Is there information on businesses or professions providing services that are often used for the transport and trade in illicit or prohibited environmental and natural resources (that is, freight forwarders)? Current typology information on the illicit trade should be reviewed.

### **Assessment**

Based on the assessment criteria and the information/data collected, decide the appropriate rating for this

variable. Is access to updated and timely information on the beneficial owner and directors of legal entities available to key stakeholders to mitigate against the possible use of these structures to facilitate environmental and natural resource crimes?

Excellent	Close to Excellent	Very High	High	Medium High	Medium	Medium Low	Low	Very Low	Close to Nothing	Does not Exist
1.0	0.9	0.8	0.7	0.6	0.5	0.4	0.3	0.2	0.1	0.0

### Legal Protection for Law Enforcement and Customs

#### Variable description: 21 Legal protection for law enforcement and customs

This variable assesses whether law enforcement officers, including special natural resource crime units and customs officials, act with integrity and are protected from undue influence.

#### Assessment criteria

\*Part of the assessment should be based on the analysis from NRA Module 2 “National Vulnerability”, Variable 6—“Integrity and Independence of Financial Crime Investigators”, which should be referenced. This variable is included in an annex below.

In addition, the assessment should be carried out by answering the following questions:

- Are the law enforcement officers who conduct environmental and natural resource crime investigations legally protected when performing their duties? Are salaries commensurate with responsibilities and risks involved?
- Does the law establish mechanisms for the monitoring and oversight of the conduct and performance in environmental and natural resource crime cases? Explain.
- Is there a comprehensive integrity or anti-corruption action plan relevant to the law enforcement staff involved in environmental and natural resource crime work? If so, what is covered? Are there any examples of this being implemented?
- Is there a process in place to report colleagues for failures to maintain integrity and professional standards? Is there protection for such whistleblowers?
- What is the perception of those persons involved in environmental and natural resource crime investigations? What is the basis of this perception?

Illustrate as much as possible by concrete examples in the jurisdiction.

#### Assessment

Based on the assessment criteria and the information/data collected, decide the appropriate rating for this variable. Are law enforcement and customs officials, prosecutors, and judges able to execute their functions without undue influence?

Excellent	Close to Excellent	Very High	High	Medium High	Medium	Medium Low	Low	Very Low	Close to Nothing	Does not Exist
1.0	0.9	0.8	0.7	0.6	0.5	0.4	0.3	0.2	0.1	0.0

#### Annex 7H: Variable description: NRA Module 2, Variable 6—Integrity and Independence of Financial Crime Investigators (Including Asset Forfeiture)

This variable assesses whether investigators of money-laundering offenses and associated predicate offenses and asset forfeiture investigators are able to conduct investigations without fear or favor.

**Assessment criteria**

Money-laundering and asset forfeiture investigators can act freely, without undue influence, if they enjoy sufficient operational independence and autonomy, display high professional standards, and act with integrity. Among the indications:

- Safeguards are in place to preserve the integrity of the investigators (in law and in practice).
- Investigations into possible money laundering are instituted without interference, political or social pressure, corruption, intimidation, or abuse of office.
- Asset forfeiture processes are instituted or terminated without interference, political or social pressure, corruption, intimidation, or abuse of office.
- The pace or outcome of ML investigations/asset forfeiture processes is not influenced by interference, political or social pressure, corruption, intimidation, or abuse of office.
- Investigations into allegations of ML offenses by powerful members of society and high-profile criminals are instituted and concluded in an objective and professional manner.
- Asset forfeiture processes affecting powerful members of society and high-profile criminals are instituted and concluded in an objective and professional manner.
- Asset forfeiture powers are used correctly, and the frozen and forfeited assets are managed with integrity.

**Possible sources of information and data**

- Experiences of the FIU, law enforcement, prosecutorial, and judicial authorities interacting with ML/AF investigators (in relation to integrity and independence).
- Perception indexes and surveys (such as Transparency International's Corruption Perceptions Index) on the general level of corruption/integrity in the country.
- Perception indexes and surveys on the level of corruption/integrity of ML investigators and law enforcement.
- Statistics on integrity breaches by ML/AF investigators and law enforcement, in general.
- Please assess the political environment in the country. Is it possible for politicians and other influential people to interfere with ML/AF investigations? Are the ML/AF investigators well protected (in terms of both the legal framework and in practice) against these political pressures?
- Statistics on the number of complaints received, investigations opened, investigations closed without further action, and investigations concluded and referred for action other than prosecution.
- What proportion of cases referred by investigators proceeds to prosecution? What proportion of cases proceeds to trial and what proportion of these result in convictions? If the number of convictions is too low, please discuss whether the integrity of the ML investigators has had any impact.
- What proportion of asset freezing orders result in confiscation? If low, discuss whether the integrity of the AF investigators has had any impact.

In assessing this variable, please consider the impact of external factors, such as political pressure and lack of safeguards, on the integrity of ML/AF investigators.



## Capacity of Prosecutors & Judiciary

### Variable description: 22 Capacity of the prosecutors and the judiciary

This variable assesses whether prosecutors and judges of environmental and natural resource crimes and money-laundering offenses and associated predicate offenses are effective in conducting prosecutions and judgments.

#### Assessment criteria

\*Part of the assessment should be based on the analysis from NRA Module 2 “National Vulnerability”, Variable 7 —“Capacity and Resources for Financial Crime Prosecutions (including Asset Forfeiture)” and Variable 9 “Capacity and Resources for Judicial Processes (including Asset Forfeiture),” which should be referenced. These variables are combined in an annex below.

In addition, the assessment should be carried out by answering the following questions:

- In addition to the prosecution and judicial processes evaluation, does the country have a dedicated resource to prosecute and adjudicate or decide on environmental and natural resource crime cases?
  - What are these agencies’ mandates?
  - Do they have specific legislation governing their mandate?
  - Are these agencies effectively resourced—logistically and in respect of human capital?
  - Do staff members have the necessary training and skills to effectively prosecute and decide on all types of ENV crimes cases, including the associated money flows?
- In cases where your country does not have specific bodies to prosecute and decide on environmental and natural resource crime cases, are prosecutors and judges adequately sensitized and trained on the specificities of environmental crimes, including organized crime and transnational features? Please specify the number and themes of the trainings delivered, as well as the number of beneficiaries and their positions.
- Are prosecutors and judges able to obtain or access all necessary documents, information, or witnesses and other relevant individuals (including NPOs) for use in environmental and natural resource crimes prosecutions?
- Do prosecutors have the power and experience to assign and work with environmental and natural resource and forensic experts to support the case?
- Regarding natural resource prosecutions and judgments:
  - What are the strengths when prosecutors and judges are looking to combat environmental and natural resource crimes?
  - Where can improvements be made to combat environmental and natural resource crimes?

Illustrate as much as possible by concrete examples in the jurisdiction.

#### Assessment

Based on the assessment criteria and the information/data collected, decide the appropriate rating for this variable. How effective is law enforcement in investigating environmental and natural resource sector crimes and money-laundering cases?

Excellent	Close to Excellent	Very High	High	Medium High	Medium	Medium Low	Low	Very Low	Close to Nothing	Does not Exist
1.0	0.9	0.8	0.7	0.6	0.5	0.4	0.3	0.2	0.1	0.0

### Annex 71: Variable description: NRA Module 2, Variable 7 &9 —Combined elements from Capacity and Resources for Financial Crime Prosecutions/judicial Processes (Including Asset Forfeiture)

This variable assesses whether the country has adequate capacity and resources to effectively (1) prosecute and undertake judicial processes for money-laundering offenses and associated predicate

offenses and proceeds of foreign predicate offenses, and (2) conduct asset forfeiture actions. Capacity includes the skills, experience, and powers required to prosecute and preside over these offenses effectively. Resources include adequate financial, technical, and human resources to enable staff to carry out their duties. Prosecutors and judges need sufficient capacity and resources to function effectively and to ensure that cases are conducted effectively and fairly.

#### **Assessment criteria**

Prosecutors and judges who preside over money-laundering and associated predicate offenses and asset forfeiture cases can function effectively if the prosecution agencies and criminal benches are—

- Adequately structured, funded, and staffed by persons with appropriate educational background, training, and skills—including specialized training with regard to financial crimes (including ML), financial products, and financial processes—and are provided with sufficient financial, technical, and other resources to perform their functions.
- Prosecutors can obtain access to all necessary documents, information, and witnesses and other relevant individuals for use in prosecutions.

#### **Possible sources of information and data**

- Experiences of investigators, prosecutors, judicial authorities, the FIU, and other relevant government agencies regarding capacity and resources for financial crime prosecutions and AF applications.
- Briefly explain which unit or agency handles the ML prosecutions and AF orders. Is it a specialized unit, or part of a general agency? Are prosecutors specialized in financial crimes or ML prosecutions?
- **Staff:** Statistics on number of ML and AF prosecutors and the number of staff involved in ML prosecutions. Is staffing adequate? Are there any plans to increase the number of staff? Do staff members stay in a particular function for an adequate period, or are they reassigned regularly (for example, every couple of years)?
- **Skills:** Do prosecutors have the necessary skills and experience to conduct ML prosecutions and AF orders? Do judges have the necessary skills and experience to adjudicate ML/AF cases? What are their educational and professional qualifications? Do they have sound knowledge of financial products, processes, and financial crime and money-laundering typologies, and so on?
- **Training:** How are ML prosecutors and judges trained? How many training courses are delivered to ML prosecutors and judges? How many hours or days of training are provided? What is the coverage of the training? How many ML prosecutors and judges have received the training? What is the quality of the training courses? Please provide details of the training course and materials used.
- What proportion of cases referred by ML investigators proceeds to prosecution? What proportion of cases proceeds to trial and what proportion of these cases results in convictions? What proportion of AF cases proceeds to court and results in asset freezing orders or confiscation orders? If the number of convictions, asset freeze orders, and confiscation orders is too low, please discuss whether the capacity and resources for ML prosecutions and judges have had any impact.

#### **Assessment**

Based on the assessment criteria and the information/data collected, decide the appropriate rating for this variable. How effective is law enforcement in investigating environmental and natural resources sector crimes and money-laundering cases?

Excellent	Close to Excellent	Very High	High	Medium High	Medium	Medium Low	Low	Very Low	Close to Nothing	Does not Exist
1.0	0.9	0.8	0.7	0.6	0.5	0.4	0.3	0.2	0.1	1.0

## Sector Regulatory Governance, Management, and Transparency

### Variable 23 description: Sector regulatory governance, management, and transparency

This variable assesses the existence and effectiveness of the implementation of best practices to ensure transparent and accountable sector regulatory governance and management by responsible authorities.

\*This variable is particularly relevant for source countries of environmental and natural resource crimes. For transit and destination countries, this variable may not be relevant, and the tool provides an option to assess this variable as “not applicable.”

### Assessment criteria

#### Licensing/Market entry and beneficial ownership

- Does relevant law set forth a sufficiently clear and transparent description of the licensing process (including awards and transfers of licenses/concessions)? Are sufficient details in the regulatory licensing process and decisions by officials in all steps publicly accessible to ensure officials can be held accountable for critical decisions and actions in licensing awards and transfers?
- Do enforceable provisions of law or regulation require (with sufficient clarity) the technical and financial criteria on which licensing decisions are based? Does the public have effective and timely access to this information?
- Do provisions of law obligate clearly accountable officials to ensure effective public access to information and data related to (1) licensing awards; (2) licensing transfers; and (3) consortium members? Does the public have effective and timely access to this information?
- Do provisions of law obligate clearly accountable officials to ensure timely public access to deviations from legal and regulatory requirements for licensing awards and transfers? Does the public have effective and timely access to this information?
- Do provisions of law obligate clearly accountable officials to ensure effective and timely public access to the license applicants and licensees where bidding procedures determine license allocation? Does the public have effective and timely access to this info?
- Do provisions of law designate clearly accountable officials to publicly disclose the names and identity details, including identities of all beneficial owners and those who are politically exposed persons (PEPs) related to all licensees, in a timely manner? Does the public have effective access to this information?
- Do relevant laws contain provisions that provide sufficiently clear definitions with sufficiently objective criteria to determine who are beneficial owners and PEPs?
- Do provisions of law obligate clearly accountable officials to ensure timely public disclosure of location coordinates of licenses (or similar descriptions covering licensed area or territory)? Does the public have effective access to this information?
- Do provisions of law obligate clearly accountable officials to ensure timely public disclosure of (1) dates of license applications; (2) dates of award of licenses; (3) duration of licenses? Does the public have effective access to this information?
- Do provisions of law obligate accountable officials to ensure timely public disclosure of production data on all commodities extracted or produced? Does the public have effective access to this information and data?

- Do provisions of law obligate clearly accountable officials to ensure timely public access to the contract terms related to all exploitation/extraction licenses? Does the public have timely access to this information?
- Do provisions of law obligate clearly accountable officials to publicly disclose in a timely manner (1) license fees; (2) rental fees; (3) entry fees; (4) other consideration for licenses or concessions?

**Due diligence efforts in supply chains**

- Have mechanisms aimed at promoting transparency in supply chains of minerals and other environment and natural resources been introduced in your jurisdiction? Such mechanisms can help to identify risks of conflict financing, serious human rights, corruption, money laundering, and terrorism financing.

**State-Owned Enterprises (SOEs):**

Do enforceable provisions of law obligate clearly accountable officials to publicly disclose information related to state involvement in natural resource sectors? Does the public have timely and effective access to the following information?

- Rules and practices regarding financial relationships between the government and SOEs
- Rules and practices governing transfers of funds between SOEs and the government
- Government and SOE level of ownership in companies operating in the country, including those held by SOE subsidiaries or joint ventures
- All changes in the level of government-share ownership in SOEs
- Details on terms attached to equity stakes, including level of responsibility for expenses at various phases
- Terms of transactions, details of valuation, and revenues in case of changes in government or SOE ownership
- Details on all loans or loan guarantees provided by the government or SOEs

**Assessment**

Based on the assessment criteria and the information/data collected, decide the appropriate rating for this variable. How effective is law enforcement in investigating environmental and natural resource sector crimes and money-laundering cases?

Excellent	Close to Excellent	Very High	High	Medium High	Medium	Medium Low	Low	Very Low	Close to Nothing	Does not Exist
1.0	0.9	0.8	0.7	0.6	0.5	0.4	0.3	0.2	0.1	1

## DESCRIPTION OF THE VULNERABILITY INTERMEDIATE VARIABLES

Descriptions of all vulnerability intermediate variables are given in table 4.

**Table 4: Description of the Intermediate Variables**

VARIABLE	DESCRIPTION
<b>Effectiveness of Reporting/Whistleblowing</b>	<p>This variable assesses the degree to which the public and civil society organizations provide information on environmental and natural resource crimes. This variable depends on</p> <ul style="list-style-type: none"> <li>• <i>Public Awareness and Private Sector Involvement (general input variable)</i></li> <li>• <i>Incentives and Protection for Reporting (general input variable)</i></li> </ul> <p>This variable is an input to</p> <ul style="list-style-type: none"> <li>• <i>Quality of Intelligence (intermediate variable)</i></li> </ul>
<b>Effectiveness of the FIU (Financial Intelligence Unit)</b>	<p>This variable assesses the degree to which the FIU contributes to the fight to tackle environmental crimes and associated money laundering. This variable depends on</p> <ul style="list-style-type: none"> <li>• <i>STR Reporting (general input variable)</i></li> <li>• <i>Capacity of FIU (general input variable)</i></li> </ul> <p>This variable is an input to</p> <ul style="list-style-type: none"> <li>• <i>Quality of Intelligence (intermediate variable)</i></li> </ul>
<b>Quality of Intelligence</b>	<p>This variable assesses whether the country has an efficient intelligence- and information-gathering system in all matters relevant to the environmental crime (such as field knowledge, related money laundering, and criminal syndicates). This variable depends on</p> <ul style="list-style-type: none"> <li>• <i>Nonprofit Organizations (NPOs) (general input variable)</i></li> <li>• <i>Effectiveness of Reporting and Whistleblowing (intermediate variable)</i></li> <li>• <i>Effective use of Information (general input variable)</i></li> <li>• <i>Effectiveness of the FIU (intermediate variable)</i></li> <li>• <i>Beneficial Ownership and Directorship of Legal Entities (general input variable)</i></li> </ul> <p>This variable is an input to</p> <ul style="list-style-type: none"> <li>• <i>Quality of Strategy and Action Plan (intermediate variable)</i></li> <li>• <i>Effectiveness of Customs and Border Controls (intermediate variable)</i></li> <li>• <i>Effectiveness of Preventative Law Enforcement (intermediate variable)</i></li> <li>• <i>Effectiveness of Criminal Law Enforcement (intermediate variable)</i></li> <li>• <i>Effectiveness of Prosecution and Judiciary (intermediate variable)</i></li> </ul>

<p><b>Capacity of Designated Authority</b></p>	<p>This variable assesses whether the country has designed an effective institutional system to coordinate and implement national strategies to tackle environmental and natural resource sector crimes. This variable depends on</p> <ul style="list-style-type: none"> <li>• <i>Risk Understanding, Coordination, and Data Collection (general input variable)</i></li> <li>• <i>Control of Corruption (and bribery) (general input variable)</i></li> <li>• <i>Beneficial Ownership and Directorship of Legal Entities (general input variable)</i></li> <li>• <i>Sector Regulatory Governance, Management, and Transparency (general input variable)</i></li> </ul> <p>This variable is an input to:</p> <ul style="list-style-type: none"> <li>• <i>Quality of Strategy and Action Plan (intermediate variable)</i></li> </ul>
<p><b>Integrity and Independence of Prosecutors and Judiciary</b></p>	<p>This variable assesses the degree to which the prosecutors and judges act on environmental crime issues without fear or favor. This variable depends on</p> <ul style="list-style-type: none"> <li>• <i>Legal Protection for Prosecutors/Judges (general input variable)</i></li> <li>• <i>Control of Corruption (and bribery) (general input variable)</i></li> </ul> <p>This variable is an input to</p> <ul style="list-style-type: none"> <li>• <i>Effectiveness of Prosecution and Judiciary (intermediate variable)</i></li> </ul>
<p><b>Effectiveness of Sanctions</b></p>	<p>This variable assesses the effectiveness of the legal framework, aggregating criminal law and its application, in proportionally and adequately sanctioning criminals who operate in environmental and natural resource sectors. This variable depends on</p> <ul style="list-style-type: none"> <li>• <i>Administrative or Civil Sanctions (general input variable)</i></li> <li>• <i>Criminal Sanctions (general input variable)</i></li> </ul> <p>This variable is an input to</p> <ul style="list-style-type: none"> <li>• <i>Effectiveness of Legal Framework for Environmental (ENV) and Natural Resource (NR) Violations (intermediate variable)</i></li> </ul>
<p><b>Integrity and independence of Law Enforcement and Customs</b></p>	<p>This variable assesses the degree to which the law enforcement act on environmental crime issues without fear or favor. This variable depends on</p> <ul style="list-style-type: none"> <li>• <i>Legal Protection for Law Enforcement and Customs (general input variable)</i></li> <li>• <i>Control of Corruption (and bribery) (general input variable)</i></li> </ul> <p>This variable is an input to</p> <ul style="list-style-type: none"> <li>• <i>Effectiveness of Preventative Law Enforcement (intermediate variable)</i></li> <li>• <i>Effectiveness of Criminal Law Enforcement (intermediate variable)</i></li> <li>• <i>Effectiveness of Customs and Border Controls (intermediate variable)</i></li> </ul>

<p><b>Quality of Strategy and Action Plan</b></p>	<p>This variable assesses the quality and scope of a country’s strategy and action plan to protect and combat environmental crime. This variable depends on</p> <ul style="list-style-type: none"> <li>• <i>Quality of Intelligence (intermediate variable)</i></li> <li>• <i>Capacity of Designated Authority (intermediate variable)</i></li> <li>• <i>Nonprofit Organizations (NPOs) (general input variable)</i></li> <li>• <i>Public Awareness and Private Sector Involvement (general input variable)</i></li> <li>• <i>Domestic Cooperation (general input variable)</i></li> </ul> <p>This variable is an input to</p> <ul style="list-style-type: none"> <li>• <i>ENV &amp; NR Crime ML Combating Ability ( Environmental and Natural Resource Crime Money Laundering Combating Ability)</i></li> </ul>
<p><b>Effectiveness of Legal Framework for Environmental (ENV) &amp; Natural Resource (NR) Violations</b></p>	<p>This variable assesses whether the legal framework provides appropriate legal and/or regulatory provisions to tackle environmental crime. It also takes in account the effectiveness of their implementation. This variable depends on:</p> <ul style="list-style-type: none"> <li>• <i>Environmental and Natural Resource Crime Asset Recovery and Management</i></li> <li>• <i>Effectiveness of Sanctions (intermediate variable)</i></li> <li>• <i>Definition of Environmental and Natural Resource Breaches and Crimes</i></li> <li>• <i>Sector Regulatory Governance, Management and Transparency</i></li> <li>• <i>Incentives and Protection for Reporting</i></li> <li>• <i>Beneficial ownership and Directorship of Legal Entities</i></li> </ul> <p>This variable is an input to:</p> <ul style="list-style-type: none"> <li>• <i>ENV &amp; NR Crime Money-Laundering Combating Ability (intermediate variable)]</i></li> </ul>
<p><b>Effectiveness of Customs and Border Controls</b></p>	<p>This variable assesses the ability of the country’s customs authority and the quality of border control mechanisms in the country. This variable depends on</p> <ul style="list-style-type: none"> <li>• <i>Domestic Cooperation (general input variable)</i></li> <li>• <i>Quality of Intelligence (intermediate variable)</i></li> <li>• <i>International Cooperation (general input variable)</i></li> </ul> <ul style="list-style-type: none"> <li>• <i>Capacity of the Customs and Border Authorities (general input variable)</i></li> <li>• <i>Integrity and Independence of Law Enforcement and Customs (intermediate variable)</i></li> </ul> <p>This variable is an input to</p> <ul style="list-style-type: none"> <li>• <i>ENV &amp; NR Crime Money-Laundering Combating Ability (intermediate variable)</i></li> </ul>

<b>Effectiveness of Preventative Law Enforcement</b>	<p>This variable assesses the capacity of the jurisdiction’s preventative law enforcement in tackling environmental crimes. This variable depends on</p> <ul style="list-style-type: none"> <li>• <i>Domestic Cooperation (general input variable)</i></li> <li>• <i>International Cooperation (general input variable)</i></li> <li>• <i>Capacity of Preventative Authorities (general input variable)</i></li> <li>• <i>Integrity and Independence of Law Enforcement and Customs (intermediate variable)</i></li> <li>• <i>Quality of Intelligence (intermediate variable)</i></li> </ul> <p>This variable is an input to</p> <ul style="list-style-type: none"> <li>• <i>ENV &amp; NR Crime Money-Laundering Combating Ability (intermediate variable)</i></li> </ul>
<b>Effectiveness of Criminal Law Enforcement</b>	<p>This variable assesses whether the ability of the country’s criminal law enforcement in investigating environmental crime and associated money-laundering. This variable depends on</p> <ul style="list-style-type: none"> <li>• <i>Domestic Cooperation (general input variable)</i></li> <li>• <i>International Cooperation (general input variable)</i></li> <li>• <i>Quality of Intelligence (intermediate variable)</i></li> <li>• <i>Capacity of Criminal Law Enforcement (general input variable)</i></li> <li>• <i>Integrity and Independence of Law enforcement and Customs (intermediate variable)</i></li> </ul> <p>This variable is an input to</p> <ul style="list-style-type: none"> <li>• <i>ENV &amp; NR Crime Money-Laundering Combating Ability (intermediate variable)</i></li> </ul>
<b>Effectiveness of Prosecution and Judiciary</b>	<p>This variable assesses the capacity of the jurisdiction’s judges and judicial officials to preside over prosecutions and initiate and adjudicate environmental crime and associated money-laundering cases. This variable depends on</p> <ul style="list-style-type: none"> <li>• <i>Domestic Cooperation (general input variable)</i></li> <li>• <i>International Cooperation (general input variable)</i></li> <li>• <i>Quality of Intelligence (intermediate variable)</i></li> <li>• <i>Use of Experts (general input variable)</i></li> <li>• <i>Integrity and Independence of Prosecutors and Judiciary (intermediate variable)</i></li> <li>• <i>Capacity of Prosecutors &amp; Judiciary (general input variable)</i></li> </ul> <p>This variable is an input to</p> <ul style="list-style-type: none"> <li>• <i>ENV &amp; NR Crime Money-Laundering Combating Ability</i></li> </ul>
<b>ENV &amp; NR Crime Money-Laundering Combating Ability</b>	<p>This variable assesses the global ability of the country to prosecute and penalize instances of environmental criminality and to forfeit the proceeds and instruments of crime. This variable depends on</p> <ul style="list-style-type: none"> <li>• <i>Quality of Strategy and Action Plan (intermediate variable)</i></li> <li>• <i>Effectiveness of Legal Framework for ENV &amp; NR Violations (intermediate variable)</i></li> <li>• <i>Effectiveness of Customs and Border Controls (intermediate variable)</i></li> <li>• <i>Effectiveness of Preventative Law Enforcement (intermediate variable)</i></li> </ul>



	<ul style="list-style-type: none"> <li>• <i>Effectiveness of Criminal Law Enforcement (intermediate variable)</i></li> <li>• <i>Effectiveness of Prosecution and Judiciary (intermediate variable)</i></li> </ul> <p>This variable is an input to</p> <ul style="list-style-type: none"> <li>• <i>Vulnerability to Environmental and Natural Resource Crime and Related Money-Laundering</i></li> </ul>
<p><b>Vulnerability to Environmental and Natural Resource Crime and Related Money Laundering</b></p>	<p>This variable assesses the vulnerability of the country to money-laundering offenses related to environmental crime. This variable depends on</p> <ul style="list-style-type: none"> <li>• <i>ENV &amp; NR rime Money-Laundering Combating Ability (intermediate variable)</i></li> </ul>

## APPENDIX A – SCREENSHOTS OF THE EXCEL MODULE

### A.1. Environmental Crime Threat Excel Spreadsheet

Tab 1: Environmental Sector (Possible) Offences

Environmental Sector Offense (the list below is provided as an example - update the items below as appropriate)
Wildlife Crime
Poaching
Use of prohibited equipment or methods
Taking of restricted wildlife
Violation of seasonal restrictions
Illegal possession of wildlife
Illegal processing of wildlife
Illegal export
Illegal import
Illicit supply and sale
Illegal consumption
Corruption linked to wildlife (fauna) crime
Fraud linked to wildlife (fauna) crime
Forestry Crimes
Illegal harvesting
Illegal possession
Illegal processing
Illegal export
Illegal import
Illegal supply and sale
Illegal consumption
Corruption linked to FC (including in the licensing process)
Fraud Llinked to FC (including in the licensing process)

Fisheries Crime
Licensing process
Illegal fishing
Unreported fishing
Unregulated fishing
Export of IUU fish
Import of IUU fish
Fraud linked to IUU Fishing
Corruption linked to IUU Fishing
Waste / Pollution
Illegal dumping / disposal
Illegal trade of waste/polluting products
Fraud linked to waste / pollution
Corruption linked to waste / pollution
Extraction / Mining Crimes
Licensing process
Extraction / Mining Crimes
Illegal mining and illegal mining practices
Illegal trade of mining products
Fraud linked to extraction / mining
Corruption linked to extraction / mining
Other criminal activity related to the environment and that may not yet be criminalized (list)

Tab 1: Environmental Sector Data Entry Fields – Row B to R (For both ENV Threat Tab 1 and Mining Focus Tab 2)

B	C	D	E	F	G	H	I
Number of Administrative Sanctions / Fines	Value of Admin Sanctions / Fines Imposed	Number of Suspicious Transaction Reports filed	Number of Investigations	Number of Prosecutions	Number of Convictions	MLA Requests Sent (or any other international information)	MLA Requests Received (or any other international information)

J	K	L	M	N	O	P	Q	R
Jurisdictions Linked to MLA (or any other international information)	Number Linked to ML Case	Number Linked to Tax evasion	Seizures / confiscations	Estimated Value	Qualitative Information / Notes	Likelihood of Crime Occurring	Impact of Crime	Overall Threat
						<b>Almost Certain</b>	<b>Moderate</b>	<b>High</b>

Tab 1: Environmental Sector Data Entry Field Description

Variable	Description
Number of Administration Sanctions/fines	The number of administrative fines and other noncriminal actions taken in regards to the sector under review
Value of Admin imposed	The value of fines issued for administrative / noncriminal actions imposed
Number of Suspicious Transaction Reports filed	The number of STRs filed that have a link to this crime type
Number of Investigations	The number of investigations of this crime that were begun
Number of Prosecutions	The number of prosecutions commenced into this crime or where it is a fraud or corruption crime linked to this sector.
Number of Convictions	The number of convictions for this crime or where it is a fraud or corruption crime linked to this sector.
MLA Requests Sent (or any other international information)	The number of Mutual Legal Assistance or other international assistance requests sent relating to this crime - or where the fraud or corruption identifies the ENV crime type. Also include any information received through informal channels (Egmont, Interpol, other networks)
MLA Requests Received (or any other international information)	The number of Mutual Legal Assistance or other international assistance requests received relating to this crime - or where the fraud or corruption identifies the ENV crime type. Also include any information received through informal channels (Egmont, Interpol, other networks)
Jurisdictions Linked to MLA (or any other international information)	Details of the jurisdictions where the mutual legal assistance or other international assistance requests have been sent or received.
Number linked to ML Case	Where a money laundering case has been initiated where this crime has been identified as the predicate crime. For fraud and corruption, the predicate is linked to the sector.
Number linked to Tax Evasion	Where a tax evasion case has been initiated where this crime has been identified as the predicate crime. For fraud and corruption, the predicate is linked to the sector.
Seizures	The value of goods that have been seized or confiscated relating to this crime. Fraud and corruption crime seizures should be linked to this sector.
Est Value	The estimated value that is generated from this crime. This estimate should consider other information sources. This does not have to be informed only from the value of seized or confiscated goods. Fraud and corruption estimates should be linked to this sector.
Qualitative information / Notes	This column should be used to record qualitative information relating to this crime type. This information may come from academic papers, open-source intelligence (OSINT) or NGOs and may, for example, support the scale of the problem / estimates of the value. Where there is a particularly relevant case that demonstrates the scope of the threat (crime and/or ML), then this should also be noted for further elaboration in your report. When looking at foreign predicate threats, it is recommended to gather information on trading/company links with high-risk countries for environmental crimes and so on, open-source information, intelligence from foreign counterparts and so on.
Likelihood of Crime Occurring	Based on the analytical data and other reliable information, assess the likelihood that this crime will take place.
Impact of Crime	Impact should consider: 1. How does this crime type affect the environment? a). Contribute to environmental change / ecosystem damage? 2. How does this crime type affect the local economy? a). Loss of employment opportunities? b). Loss of local government revenues? 3. How does this crime type affect the broader country economy? a). What is the estimated size of the black economy? b). Loss of employment opportunities? c). Loss of national government revenues ? 4. How does this crime type change the criminal environment? a). Local / foreigners b). Organized crime groups c). Terrorist organizations The notes space should be used to record key bullet points as they relate to the impact assessment. This should be more deeply explained in the full write-up.

Tab 2: Mining Focus – Value Chain activities

Value Chain activity (activities and sub-activities listed below are examples only; modify as appropriate for the assessed sectors)	Mining Sector Offense(s)
<b>Mining</b>	
<b>Exploration</b>	
Exploration licensing process	
Services/equipment purchase & import	
Exploration	
Appraisal	
Reserves development	
Add any other criminal activities linked to minerals exploration, for example, corruption, fraud, etc.	
<b>Licensing Process for Extraction</b>	
Bid/auction process	
Integrity due diligence/background checks	
Financial background checks	
Technical expertise checks	
Award/transfer process	
Negotiation & conclusion of concession contracts & agreements	
Add any other criminal activities linked to the licensing process for extraction, for example corruption, fraud, etc.	
<b>Extraction &amp; Production</b>	
Extraction	
Transport & storage	
Refining/purification	
Add any other criminal activities linked to the licensing process for extraction and production in the extractive sector (e.g. corruption, fraud, etc.)	

	Mining Sector Offense(s)
<b>Trade &amp; Sales</b>	
Wholesale marketing	
Wholesale distribution	
Transport & export	
Retail marketing	
Retail distribution	
Add any other criminal activities linked to trade and sales of precious or valuable minerals, for example corruption, fraud, etc.	
<b>Revenue Collection</b>	
Production	
Wholesale sales	
Retail sales	
Export	
Add any other criminal activities linked to revenue collection in the extractive sector, for example corruption, fraud, etc.	
<b>Direct/indirect Support to State and Non-State Armed Groups</b>	
Extortion and racket at mine sites	
Extortion and racket along transportation routes	
Terrorism financing	
Human rights violation	

Tab 3: Money Laundering Case Analysis

MONEY LAUNDERING THREAT CASE BASED DATA COLLECTION TEMPLATE	CONVICTED ML CASES	DESECUTED ML CA'	INVESTIGATED ML CASES
Case name or number	EXAMPLE (case ref. 12345)	...	...
Sectors involved	Banking, remittance, real estate, and legal		
Number of entities involved (with sector breakdowns)	2 banks, 1 remittance company, 1 lawyer		
Name of the institutions involved (can be kept confidential)	Bank A, bank B		
Number of bank accounts involved	5		
Average amount in detected bank accounts	50,000 USD		
Number of money transfers	10		
Average amount in money transfers	2000 - 3000 USD		
Financial products/services involved	Money transfer services, bank accounts, and checks		
Predicate offense	Drug trafficking		
Total detected amount	..... USD (or local currency)		
Total seized amount	..... USD (or local currency)		
Total confiscated amount	..... USD (or local currency)		
Number of citizens involved	12		
Number of noncitizens involved	2		
Destination countries (where the money goes)	Country A, country B		
Originator countries (where the money comes from)	Domestic		
Regions involved	Region A, region B, etc.		
Summary of the techniques and methods used in ML	Use of structuring and real estate sector		
Trigger for the investigation	STR to FIU		
Result of the investigation	Prosecution, conviction		
Other important points	....		
Short narrative of the case	....		

## A.2 Environmental Crime Vulnerability Excel Spreadsheets

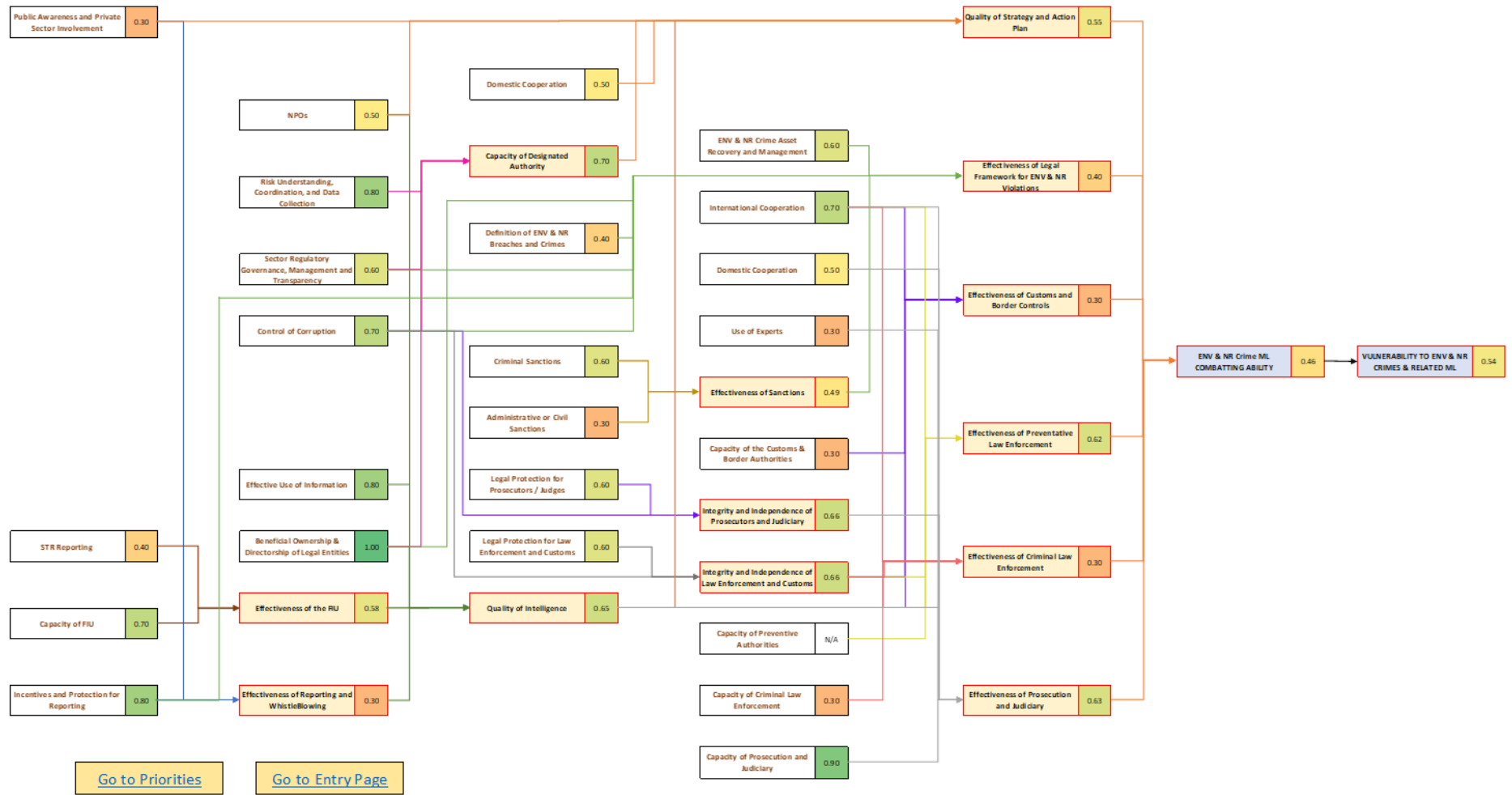
Tab 1: Entry Page – Input Variables (Inputs in the tables are only indicative).

No	ENV CRIME	ASSESSMENT RATING	RATING
	GENERAL INPUT VARIABLES		
1	Risk Understanding, Coordination, and Data Collection	(0.8) Very High	0.80
2	Definition of ENV & NR Breaches and Crimes	(0.4) Medium Low	0.40
3	Administrative or Civil Sanctions	(0.3) Low	0.30
4	Criminal Sanctions	(0.6) Medium High	0.60
5	ENV & NR Crime Asset Recovery and Management	(0.6) Medium High	0.60
6	Control of Corruption	(0.7) High	0.70
7	Domestic Cooperation	(0.5) Medium	0.50
8	Non Profit Organizations (NPOs)	(0.5) Medium	0.50
9	International Cooperation	(0.7) High	0.70
10	Use of Experts	(0.3) Low	0.30
11	Public Awareness and Private Sector Involvement	(0.3) Low	0.30
12	Capacity of the Customs and Border Authorities	(0.3) Low	0.30
13	Incentives and Protection for Reporting	(0.8) Very High	0.80
14	Effective Use of Information	(0.8) Very High	0.80
15	Capacity of Preventative Authorities	(N/A) Not applicable	N/A
16	STR Reporting	(0.4) Medium Low	0.40
17	Capacity of FIU	(0.7) High	0.70
18	Capacity of Criminal Law Enforcement	(0.3) Low	0.30
19	Legal Protection for Prosecutors / Judges	(0.6) Medium High	0.60
20	Beneficial Ownership & Directorship of Legal Entities	(1.0) Excellent	1.00
21	Legal Protection for Law Enforcement and Customs	(0.6) Medium High	0.60
22	Capacity of Prosecutors & Judiciary	(0.9) Close to Excellent	0.90
23	Sector Regulatory Governance, Management and Transparency	(0.6) Medium High	0.60

[Go to Vulnerability Map](#)

[Go to Priorities](#)

Tab 2: Vulnerability Map (Inputs in the tables are only indicative)



Tab 3: Priorities (Inputs in the tables are only indicative).

No	GENERAL INPUT VARIABLES	CURRENT RATING	UPTIVE IMPACT ON COMBATING ABI		PRIORITY RANKING
			Score Difference	% Difference	
1	Risk Understanding, Coordination, and Data Collection	0.80	0.00	0.0%	1.00
2	Definition of ENV & NR Breaches and Crimes	0.40	0.05	6.9%	3
3	Administrative or Civil Sanctions	0.30	0.02	3.4%	5
4	Criminal Sanctions	0.60	0.02	2.3%	8
5	ENV & NR Crime Asset Recovery and Management	0.60	0.00	0.2%	12
6	Control of Corruption	0.70	0.00	0.0%	1.00
7	Domestic Cooperation	0.50	0.03	4.5%	4
8	Non Profit Organizations (NPOs)	0.50	0.02	3.0%	7
9	International Cooperation	0.70	0.00	0.0%	1.00
10	Use of Experts	0.30	0.01	1.4%	9
11	Public Awareness and Private Sector Involvement	0.30	0.05	7.2%	2
12	Capacity of the Customs and Border Authorities	0.30	0.06	9.1%	1
13	Incentives and Protection for Reporting	0.80	0.00	0.0%	1.00
14	Effective Use of Information	0.80	0.00	0.0%	1.00
15	Capacity of Preventative Authorities		0.00	0.0%	1.00
16	STR Reporting	0.40	0.01	1.2%	10
17	Capacity of FIU	0.70	0.00	0.0%	1.00
18	Capacity of Criminal Law Enforcement	0.30	0.00	0.0%	1.00
19	Legal Protection for Prosecutors / Judges	0.60	0.01	1.0%	11
20	Beneficial Ownership & Directorship of Legal Entities	1.00	0.00	0.0%	1.00
21	Legal Protection for Law Enforcement and Customs	0.60	0.02	3.3%	6
22	Capacity of Prosecutors & Judiciary	0.90	0.00	0.0%	1.00
23	Sector Regulatory Governance, Management and Transparency	0.60	0.01	1.3%	10

ANALYZE PRIORITIES

[Go to Vulnerability Map](#)

[Go to Entry Page](#)

Tab 4: Variable Links - Column A contains *Intermediate variable* (Orange Box, followed by the *Input Variables* (white Box) which are used to calculate each Intermediate variable.

<b>Effectiveness of Reporting and WhistleBlowing</b>
Public Awareness and Private Sector Involvement
Incentives and Protection for Reporting
<b>Effectiveness of the FIU</b>
STR Reporting
Capacity of FIU
<b>Quality of Intelligence</b>
Non Profit Organizations (NPOs)
Effectiveness of Reporting and Whistleblowing
Effective Use of Information
Effectiveness of FIU
Beneficial Ownership & Directorship of Legal Entities
<b>Capacity of Designated Authority</b>
Risk Understanding, Coordination, and Data Collection
Control of Corruption
Beneficial Ownership & Directorship of Legal Entities
Sector Regulatory Governance, Management and Transparency
<b>Integrity and Independence of Prosecutors and Judiciary</b>
Control of Corruption
Legal Protection for Prosecutors / Judges
<b>Effectiveness of Sanctions</b>
Administrative or Civil Sanctions
Criminal Sanctions
<b>Integrity and Independence of Law Enforcement and Customs</b>
Control of Corruption
Legal Protection for Law Enforcement and Customs
<b>Quality of Strategy and Action Plan</b>
Capacity of Designated Authority
Non Profit Organizations (NPOs)
Quality of Intelligence
Domestic Cooperation
Public Awareness and Private Sector Involvement

<b>Effectiveness of Legal Framework for ENV &amp; NR Violations</b>
Definition of ENV & NR Breaches and Crimes
Effectiveness of Sanctions
ENV & NR Crime Asset Recovery and Management
Sector Regulatory Governance, Management and Transparency
Control of Corruption
Incentives and Protection for Reporting
Beneficial Ownership & Directorship of Legal Entities
<b>Effectiveness of Customs and Border Controls</b>
Domestic Cooperation
International Cooperation
Capacity of the Customs and Border Authorities
Integrity and Independence of Law Enforcement and Customs
Quality of Intelligence
<b>Effectiveness of Preventative Law Enforcement</b>
Domestic Cooperation
International Cooperation
Quality of Intelligence
Capacity of Preventative Authorities
Integrity and Independence of Law Enforcement and Customs
<b>Effectiveness of Criminal Law Enforcement</b>
Domestic Cooperation
International Cooperation
Quality of Intelligence
Capacity of Criminal Law Enforcement
Integrity and Independence of Law Enforcement and Customs
<b>Effectiveness of Prosecution and Judiciary</b>
Domestic Cooperation
International Cooperation
Quality of Intelligence
Use of Experts
Integrity and Independence of Prosecutors and Judiciary
Capacity of Prosecutors & Judiciary
<b>ENV &amp; NR Crime Money Laundering Combatting Ability</b>
Quality of Strategy and Action Plan
Effectiveness of Legal Framework for ENV & NR Violations
Effectiveness of Customs and Border Controls
Effectiveness of Preventative Law Enforcement
Effectiveness of Criminal Law Enforcement
Effectiveness of Prosecution and Judiciary