

Green Criminology and Protection of the Environment

GERN Workshop Report

The Faculty of Criminal Justice and Security at the University of Maribor, Slovenia, in partnership with GERN - Groupement Européen de Recherche sur les Normativités, of France, organized the workshop: *'Green Criminology and Protection of the Environment - Epistemology, Research, Policy Making, and Action'*, on 22nd–23rd September, 2011. It took place at the Faculty of Criminal Justice and Security in Ljubljana, Slovenia.

Environmental issues are often problems of cohabitation; and connected with that relationships between people, groups of people, and countries. Many different sciences have responded to environmental changes, their consequences, and other environmental issues: such as ecology, sociology, psychology, the law, criminal investigation, and criminology. The field of environmental crime is exceptionally wide and, above all, usually inter-disciplinary, which results in a variety of methodological problems. The awareness about the lack of studies and discussions in this field leads to the need for environmental crime research.

The aim of the GERN workshop on environmental crime, involving several European research teams and centres, was to overcome the present issues and obstacles in criminological research into epistemology, research, policy-making and the action of environmental criminality. The first objective of the workshop was to define green criminology, environmental criminality, and environmental protection, from the perspective of social sciences, as a basis for future research projects and social actions. The second objective was to establish a network of researchers and specialists to exchange ideas; and identify more efficient responses to threats against the environment, and directions for future research and educational cooperation.

During the 2-day workshop 15 participants from 3 countries (United Kingdom, Serbia, and Slovenia) presented their papers. Along with presenters, each thematic part of the workshop was moderated by the workshop organizer. Gorazd Meško, as the chair, summarised the main points of presentations and suggested specific issues for discussion and further research. The present overview will illustrate the presentations and discussions on epistemology, research, policy-making, and actions for green criminology and environmental protection during the workshop in Ljubljana.

At the opening of the workshop Gorazd Meško presented reflections and stressed the diversity of perspectives on green criminology and protection of the environment, with the emphasis on epistemology, research, policy-making, and action. Literature reviews revealed research bias, characterised by the fragmented focus of research on crimes against the environment. This clearly showed the need

to extend methodological approaches in criminological studies of environmental crime. Furthermore, the need for alternative approaches in researching contemporary forms of environmental threats has been identified. Responses to this emerging situation are possible with environmental protection which includes any action for protection and conservation of nature from many human activities.

Furthermore, protection of the environment is closely connected with social sciences, especially green criminology. Protecting the environment, no matter if for individual, organisational, governmental, or global levels, should rely on the results of criminological research. No matter what level, or in what form, environmental criminality occurs, green criminology is a leading academic discipline focussed on studying deviance related to the environment. Green criminology ought to provide answers to numerous questions about environmental criminality and ideas for feasible preventative measures.

The fact that economic development is often so close-related to environmental deviance and criminality raises additional questions about criminological research into environmental crime, environmental criminals, as well as formal and informal social control responses. It is also important that the need for catching up with the most advanced research and social actions is necessary to respond to threats to the environment. For this purpose, a group of researchers from the Faculty of Criminal Justice and Security has been conducting a 3-year national basic research project on *Environmental Crime - Criminological, Victimological, Crime-preventative, Psychological, and Legal Aspects*, and trying to learn about this complex issue and answer basic question regarding perception, comprehension, definitions, responses, and future research challenges.¹

In the second workshop session, victim-oriented aspects of environmental crime and environmental harm were presented. The first presenters were Peter Umek, Igor Areh, Vlado Odar, and Jerneja Šifrer, who presented a paper on the Psychological effects of environmental degradation in Slovenia. The authors presented research results about the psychological impact of environmental degradation on the population of environmentally degraded communities. Four areas of the most polluted parts of Slovenia,² struggling with different forms of environmental degradation, were chosen to take part in the research. Results showed intense anxiety, annoyance, and depression among respondents, and lack of trust of social institutions responsible for the protection of environment. Pollution had the strongest impact on respondents in Zasavje, followed by the respondents of Celje, Gornja Radgona, and Tenetiše. Results also showed that 37.5% of all respondents believed there was corruption involved in pollution practices in

1 As a part of the basic national research project first the national conference entitled 'Multi-disciplinary approach to reducing threats against the environment' (http://www.fvv.uni-mb.si/okolje2009/zbornik_povzetkov.pdf) and later the NATO advanced research workshop - 'Managing Global Environmental Threats to Air, Water and Soil' - examples from South East Europe (http://www.fvv.uni-mb.si/nato_arw) were organised. The result of the work and active cooperation of 30 key-speakers is the publication of the edited book 'Understanding and Managing Threats to the Environment in South East Europe', published by Springer Publisher (<http://www.springer.com/environment/book/978-94-007-0610-1>).

2 Four selected areas were: Celje (pollution of air and soil), Gornja Radgona (noise pollution), Tenetiše (problems with communal waste centre) and Zasavje as the most polluted area in Slovenia.

their communities, and 47.3% believed there was a strong link between pollution and crime. It was concluded that the findings supplement a broader picture of environmental problems in polluted areas globally, and offer ideas for further research on environmental protection.

Matthew Hall talked about the environmental victimology and environmental victims, and stated that victims of environmental crime are an important challenge to criminal law and criminology. Despite notable developments in 'green criminology' over the last decade, relatively little academic attention has yet been focused on those affected by environmental degradation and climate change. Grounded in the notion of 'social harms' (a concept extending beyond 'crime') he set out a research agenda for the better understanding of the needs of so-called 'environmental victims'. He addressed limits of national and international justice systems concerning various impacts of environmental harm on victims. A multi-disciplinary approach to environmental issues, encapsulating criminology, victimology, and international law, was discussed. The importance of critical criminological and victimological perspectives in future research studying environmental crime, and its impact on victims, should become one of the key perspectives in the 21st century.

Ivica Ristović presented the paper about environmental degradation related to water resource pollution caused by coal-mining activities in Serbia. He explained how mining exploitation, haulage, and preparation and production of minerals, have an adverse impact on the environment. In addition, mining activities are associated with non-renewable resources and have adverse effects on all aspects of the environment, such as the soil, air, and especially water. The author described the importance of implementing natural, friendly (coal)-mining activities, i.e., exploitation, transportation, preparation, and production and deposition of waste, in order to protect the surface and ground-water resources.

In the third workshop session, types of environmental threats were presented and discussed. Bojan Dobovšek presented a problem of organized environmental crime and its impact on the rule of law. In his opinion, organized environmental crime, in its various forms, presents a growing share of criminal activities in the modern world. Governments cannot follow the rapid development of organized environmental crime, which is resulting in inadequate crime-control policies and adopting inadequate legal mechanisms. Therefore, the phenomenon of 'state capture' and the influence of informal institutions, such as corruption, clientelism, and informal networks, upon environmental law formulation, were discussed by researchers. In conclusion, plausible solutions for preventing organized environmental crime activities were discussed by the author.

Secondly, Iztok Podbregar and Teodora Ivanuša, presented their paper entitled 'Environmental terrorism and open-source intelligence'. The authors presented the use of open-source intelligence method as a support for decision-making in the prevention of environmental terrorism. Furthermore, they argued that the method and process as a whole requires consistency at all stages. Open-source intelligence cannot replace traditional research and methods of collecting intelligence, but it can offer quality information for decision making and prevention of possible environmental threats.

On the second day of the GERN workshop, the fourth workshop session dealt with the present closely connected topics of the environment and tourism. 'Requisite holism and interdependence between tourism, the environment, and national security', was the title of the first paper, presented by the Iztok Podbregar, Maja Lesjak, Magdalena Roša, and Teodora Ivanuša. The authors emphasised that 'requisite holism' has been recognized as crucial in searching for solutions for the effective management and governance of tourism/tourist safety, environmental safety, environmental crime, and national security. The positive effects of tourism and tourist safety for a national economy are doubtless. However, pollution, loss of green areas, endangering flora and fauna, and other changes in the natural environment, including green crimes, must be taken into consideration. Therefore, some managerial and governance guidelines for tourism in relation to environmental safety and national security were suggested.

Janez Mekinc and Helena Cvikl talked about the relationship between tourism and environmental protection, consisting of various activities, such as: cultural, festival, sports, educational, and conventions and exhibition events. The majority of these activities is highly dependent on the countryside and, therefore, the relationship between tourism and the environment must be co-ordinated from two perspectives: in terms of the impact of tourism on the countryside, and the impact of the quality of the natural environment on tourism. When planning tourism activities, people can cross the thin line between legal and illegal action and intervention in favour of tourism activities (e.g., natural environment, cultural heritage, and natural values can become endangered), as in the case of construction work. In conclusion authors emphasized that to protect the environment, tourist activities should be aligned with regimes of protecting the countryside and formulating appropriate policies or instructions.

In a paper about development of green criminology throughout history, Katja Eman and Gorazd Meško stressed that, at first, criminology was slow in studying environmental issues. Crimes against the environment became the interest of criminological study quite late, in comparison to studying other deviances. The first beginnings of the development of green criminology originate from the beginning of the 1970s, and in spite of almost four decades, prolonged development, and forming a new branch of criminology, criminologists face a lack of clearly defined terms, definitions, and suitable criminological theories. Historically, three directions of green criminology have developed the most: radical-critical, sociological-theoretical, and sociological-philosophical, which later combined under today's well known label of green criminology. The authors concluded that green criminology needs to re-appraise its traditional notions of criminality and to come closer to the environment, as both victim and human perpetrator of environmental crime. One possibility is close connection and cooperation between natural and social sciences (e.g., green criminology) which was discussed at the NATO Advanced Research Workshop, June 2010, and the thesis that understanding and cooperation will be difficult, was rejected.

In the last workshop session participants discussed conservation, and criminological aspects of returning back to nature. Issues, ideas, and proposals presented in the 2-day workshop were summarized and discussed among all

participants. It was emphasized that we have the common denominator, the environment – environmental harm and environmental protection – no matter how many different names and definitions it has. Moreover, in the closing session the importance of exchanging knowledge and research ideas in the future, in Europe and abroad, which can have crucial impacts on the development of green criminology, and environment protection, was stressed.

Green criminology is facing a multi-disciplinary environmental crime, which must be taken into consideration in further development, where cooperation with other sciences, especially natural sciences, has to be included. To be more successful and more clearly orientated, we have to find an answer to a basic question: *'What is the green criminology agenda?'* which will help us (direct our research work) in the future. Another very important issue is development of curricula for educational purposes, especially under-graduate and graduate programmes, where comparability between foreign faculties, is desired.

To meet the above-listed goals, researchers and experts have to publish their research results at a national and international level, and exchange data, findings, experiences and knowledge. While doing that, they have to consider the following question: *'How can we contribute to the public good without creation of public panic (role of public criminology) (Loader in Sparks, 2010)?'* The impact on policy making in modern society is very important, because the last act for achieving that goal is action, otherwise people are easily called radical activists. This is not actually a desired title of experts, although in the field of environmental protection, NGOs, and connected activists, very easily gain such titles and names.

When talking about policy making in the field of environmental protection, the problem of academia research results is that they have to be built on real world data. Furthermore, the diversity of NGOs and academia perspectives has an impact on public perception and on policy making. Both, academia and NGO results should represent the basis for efficient policy-making and environmental protection legislation.

In the field of environmental protection and degradation the following research fields have been discussed: 1) the danger of environmental terrorism and the possibility of using open-source intelligence as a form of environmental crime prevention; 2) tourism and its impact on the environment – correlation and interrelation; 3) the definition of environmental victims (human and non-human victims; specific groups of environmental victims) and the development of environmental victimology; and 4) the linkages between environmental crime and white-collar crime, including corruption and state crime.

All the reasons described above, along with the fact that environmental degradation is crimino-genic and causes different forms of crime, are sufficiently important arguments, and answers to the question *'Why should (green) criminology/victimology be interested in environmental crime?'*

We could lead discussions about environmental issues and raise even further questions, but the fact is we have to stop at some point to begin to solve the problems and obstacles discovered. Moreover, criminology and criminal justice try to deal with rising issues with case studies at a national or regional level, and comparative studies between different areas on an (inter)national level.

Additional issues are the environmental degradation costs and compensation for damage caused to victims and otherwise (how to evaluate the environmental damage/costs caused and how much monetary compensation should be). Participants were unified that the 'polluter pays' principle should become normal practice in all countries. Furthermore, policy-making for the environment and environmental protection is closely related to sustainability – sustainable development, where exchanges of knowledge and experience, and experiences of 'good practice', can be invaluable.

The objective of the workshop: to identify green criminology, environmental criminality and environmental protection, from the perspective of social sciences, as a basis for future work, was achieved. Additionally, a network of researchers was created and an idea to prepare a research programme and apply new research projects was discussed.

Another achievement of the workshop, was an agreement to prepare a comparative (on-line) study at the international level, and in addition to the questionnaire about environmental crime, the survey would include questions about the quality of life (e.g., public perception) and health care records. Also, workshop participants agreed that research data³ collected, and experiences exchanged, together with ideas and suggestions collected, represent a basis for further, future, studies of epistemology, research, policy-making, and action in environmental protection and green criminology. Moreover, the workshop represents an important step forward for research on environmental crime in Europe.

Katja Eman

Literature

Loader, I., & Sparks, R. (2010). *Public criminology?: A cool read on a hot topic*. London: Routledge.

3 All abstracts and presentations are available on <http://www.fov.uni-mb.si/GERNworkshop/abstracts.html>.