Planning the Environment?

No Time to Put Climate Science on Ice
Achim Steiner

Ecocide in the Iraqi Marshes
Daniel Ruiz

Climate Change and Access to Justice
Adriaan Grijns
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Humankind: the real victim of eco-crimes and lack of political will

The relationship between mankind and the environment has always alternated between a profound respect for nature’s harmonious balance and the struggle for survival of mankind against the elements. The Industrial Revolution, along with positivism, sanctioned the domain of the latter conception in western culture: human needs had to be fulfilled by subduing nature and the environment, whose only true value would be decided on the market. Consequently, environmental protection was regarded as an eccentric belief opposing the advancement of progress and science. The positivist line of thought saw nature as being of no use to mankind, as it would not provide any service to man. On the contrary, nothing could be more wrong, and the fact environmental services are usually not calculated does not mean they do not exist. Our biosphere, indeed, is essential to all living organisms, man included. Ecosystems and biomes do provide for erosion and pest control, as well as water and air filtering, and many other more.

The value of such services was calculated by Robert Costanza, co-founder of the International Society for Ecological Economics (ISEE) and Director of the Gund Institute for Ecological Economics. In 1997 he estimated these services to be worth between 18 and 56 trillion dollars, with an average yearly value of $33 trillion, which was almost twice the size of the global GNP at the time. When calculating the value of Earth’s biosystems with the replacement method (i.e. how much it would cost to replace our planet’s precious services), the price of such natural capital rose to $195 quadrillion, about 3000 times the current global GDP in 2008.

In fact, the protection of the environment today is not only a matter of personal sensitivity or of different values and priorities: it is the ultimate “tragedy of the commons.” Environmental protection has become an intricate, crosscutting issue, encompassing the fields of human rights, corporate accountability, organized crime and government transparency and, above all, the present and future prosperity of the world population, its living conditions and even its survival.

Nowadays environmental issues, from environmental crimes to climate change, are far beyond the capacity of a single nation to cope with, no matter how powerful: these are unprecedented complex issues, transnational in their nature, whose functioning mechanisms and repercussions are not yet fully understood. These are global problems with local outcomes, whose answers can only be global. This is why the key to protect the environment, and vicariously mankind too, lies in a concerted and multilaterally agreed response.

Will it be enough? Hardly. Many emerging economies already possess state-of-the-art environmental legislation, and the international community has already successfully addressed incumbent problems such as the ozone layer depletion or the trade in endangered species. The fight against environmental crime needs to be considered as a priority. The perception that a crime against the environment is less serious than other types of crime proved to be wrong: if we calculate how many deaths a crime against the environment can cause, we will gain a glimpse of the real dimension of its danger.

As in almost any domain of governance, the real discriminator is the existence, or not, of the political will to act for the protection of the environment. So far, this will has been too weak and ineffective, also because the diffusion of responsibility of these commons does not allow to provide a guilty entity to hold accountable.

It appears now that the countdown for the survival of the humankind can be stopped only by a real global will to intervene.

Doris Buddenberg
Officer-in-Charge of UNICRI
Centre for Governance and Anti-Corruption

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Challenging Ideas for Challenging Times

A Greek-owned tanker flying a Panamanian flag and leased by the London branch of a Swiss trading corporation whose fiscal headquarters are in the Netherlands, dumped more than 500 tons of highly toxic industrial waste in the middle of a West African urban area. As a result, 100,000 residents had to seek medical help, 69 were hospitalized and 17 died.

In Brazil, the authorities dismantled an illegal logging ring which had been functioning for fifteen years and had illegally cut nearly $400 million worth of timber in the world’s biggest tropical rainforest, the Amazon jungle. A total of 89 people were arrested, of whom nearly half belonged to the federal environmental protection agency. The head of the agency was accused of accepting money from loggers in exchanges for documents declaring the wood was legally removed from the rainforest. The authorities discovered that, during the two years when he was head of the agency, his personal assets had grown by $177,000.1

In Italy, thousands of tons of uncollected rubbish piled up rotting on the streets of Naples and its provinces in the Campania region during the heat wave of 2008. Abhorred by the smell and worried about the spread of diseases, the local citizens lit fires to the piles of trash to get rid of them, which made the situation even worse as the combustion released toxic fumes. For years, the creation of a modern and safe waste disposal system in Naples has been blocked by the local mafia, the Camorra, which has been busy running its own profitable rubbish collection operations by promoting political ineptitude, corruption and crime.2

When the marshes of southern Iraq were drained towards the end of the Gulf War, people’s lives suffered a devastating impact as the wetlands turned into a salt crust, vegetation and life disappeared, along with their livelihoods. This is but one case of ecocide illustrating how the destruction of a natural environment has been used as a means to pursue political ends.

The list of incidents harming the environment and its people could be continued for pages on end. Environmental crimes have a far-reaching impact: not only do they ravage nature, demolish delicate ecosystems, threaten biodiversity and endangered species, and cause shortages of unpolluted land and water, but they also increase health problems, they promote corruption, hinder the rule of law and channel billions of dollars into the pockets of criminals, money which could be otherwise used for hospitals, schools and clean drinking water. Everywhere, it is the local citizens who are most affected by the consequences of eco-crimes, who bear the biggest losses and who suffer the most.
Harming the environment can also have indirect impacts. It has been claimed that the issue of maritime piracy in the Somali waters off the Gulf of Aden has actually been initiated by the massive volumes of foreign illegal fishing and toxic waste dumping that have been destroying marine resources for years since the collapse of the Somali regime in 1991.\(^3\)

Who are the criminals behind environmental crimes causing harm and suffering to millions of animals, plants and human beings? As with other types of crimes there is no single profile of an eco-criminal. They might be local poachers, middlemen involved in transportation of illegal products or large multinational companies avoiding the costs of waste processing by dumping at sea. Even though crimes against environment may be committed at the local level, most of the profits do not end up into the pockets of local loggers, fishermen or poachers; those who profit the most are the people organizing the crime.

Trading timber, shipping toxic waste and moving large catches of fish require large scale operations. It is hard to imagine that such crimes could be committed without planning and involving a significant number of actors to carry out all the different tasks. Environmental crime seems to require a certain level of organization, but does this make it an organized crime? The United Nations Convention against Transnational Organized Crime defines an organized crime group as a structured group of three or more persons committing serious crimes which are transnational in nature. Many eco-crimes contain these elements, but they also share other indicators of organized crime such as use of gangs, violence, bribing of authorities, contacts with the business and the political worlds and large profits.

The businessmen in the global trading companies or the import-export suppliers hardly fit the stereotypical depiction of the mafia type of organized crime where contract killers are hired to do the dirty work. These crimes, however, often have all the elements of organized crimes, and if legal action could be taken involving the use of organized crime legislation, the image of environmental crimes would change from something considered to be part of business operations to a serious crime covered by international and national legal frameworks.

There is an extensive normative framework related to the environment covered by 270 international conventions, treaties and agreements. Following these instruments, some concrete action has also started to emerge, especially due to raising concerns over climate change. International, national and local action is needed to ensure that the environment is not harmed. But it cannot be ignored that we are all involved in this and that significant action can be initiated also at home. We should all have a closer look around our homes and ask ourselves whether we can honestly say that all the items we have collected around us are produced without exploiting animals, trees or human beings. 2010 is the International Year of Biodiversity: let’s seize this opportunity to make a change, starting with ourselves.

* Kristiina Kangaspunta is UNICRI’s Executive Officer, Applied Research Programme.

1 www.msnbc.msn.com/id/8084491/
NO TIME to Put Climate Science on Ice

* Achim Steiner
Nairobi, 5 February 2010 - The science of climate change has been on the defensive in recent weeks, owing to an error that dramatically overstated the rate at which the Himalayan glaciers could disappear. Some in the media, and those who are skeptical about climate change, are currently having a field day, parsing every comma and cough in the Intergovernmental Panel on Climate Change’s (IPCC) 2007 assessment. Some strident voices are even dismissing climate change as a hoax on a par with the Y2K computer bug.

As a result, the public has become increasingly bewildered as the unremitting questioning of the IPCC and its chair assumes almost witch-hunting proportions in some quarters. The time has really come for a reality check. It is quite right to pinpoint errors, make corrections, and check and re-check sources for accuracy and credibility. It is also right that the IPCC has acknowledged the need for ever more stringent and transparent quality-control procedures to minimize any such risks in future reports. But let us also put aside the myth that the science of climate change is holed below the water line and is sinking fast on a sea of falsehoods. Over the course of 22 years, the IPCC has drawn upon the expertise of thousands of the best scientific minds, nominated by their own governments, in order to make sense of the complexity of unfolding environmental events and their potential impacts on economies and societies. The Panel has striven to deliver the "perfect" product in terms of its mandate, scientific rigor, peer review, and openness, and has brought forward the knowledge - but also the knowledge gaps - in terms of our understanding of global warming. Its 2007 report represents the best possible risk assessment available, notwithstanding an error - or, more precisely, a typographical error - in its statement of Himalayan glacial melt rates.

One notion promulgated in recent weeks is that the IPCC is sensationalist: this is perhaps the most astonishing, if not risible claim of all. Indeed, the Panel has more often been criticized for being far too conservative in its projections of, for example, the likely sea-level rise in the twenty-first century. Indeed, caution rather than sensation has been the Panel’s watchword throughout its existence. In its first assessment, in 1990, the IPCC commented that observed temperature increases were "broadly consistent with predictions of climate models, but it is also of the same magnitude as natural climate variability."
With the world’s human population set to rise from six billion to nine billion people in the next half-century, we need to improve management of our atmosphere, air, lands, soils, and oceans anyway.

The second assessment, in 1995, said: “Results indicate that the observed trend in global mean temperature over the past 100 years is unlikely to be entirely natural in origin.” In 2001, its third assessment reported: “There is new and stronger evidence that most of the warming observed over the last 50 years is attributable to human activities.” By 2007, the consensus had reached “very high confidence” - at least a 90% chance of being correct - in scientists’ understanding of how human activities are causing the world to become warmer.

This does not sound like a partial or proselytizing body, but one that has striven to assemble, order, and make sense of a rapidly evolving scientific puzzle for which new pieces emerge almost daily while others remain to be found.

So perhaps the real issue that is being overlooked is this: confronted by the growing realization that humanity has become a significant driver of changes to our planet, the IPCC, since its inception, has been in a race against time.

The overwhelming evidence now indicates that greenhouse-gas emissions need to peak within the next decade if we are to have any reasonable chance of keeping the global rise in temperature down to manageable levels. Any delay may generate environmental and economic risks of a magnitude that proves impossible to handle.

The fact is that the world would have to make a transition to a low-carbon, resource-efficient future even if there were no climate change.

With the world’s human population set to rise from six billion to nine billion people in the next half-century, we need to improve management of our atmosphere, air, lands, soils, and oceans anyway.

Rather than undermine the IPCC’s work, we should renew and re-double our efforts to support its mammoth task in assembling the science and knowledge for its fifth assess-

What is needed is an urgent international response to the multiple challenges of energy security, air pollution, natural-resource management, and climate change.

* Achim Steiner is Executive Director of the United Nations Environment Programme, which co-hosts the IPCC.

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On June 5th of every year since 1972 the world celebrates World Environment Day (WED), an occasion for the UN and environmental organizations to spread awareness worldwide, celebrate positive environmental accomplishments, encourage political attention and stimulate green policies and action. Given that 2010 is the International Year of Biodiversity, this year’s WED theme will be “Many Species. One Planet. One Future.” Stressing the importance of conserving our planet’s precious biodiversity and the delicate interconnected “eco-librium” we all share.

While in our individual capacity we may not be able to save the world altogether from pollution, environmental degradation and global warning, we can nevertheless contribute significantly by being more environmentally conscious and responsible, starting with our daily consumer choices.

Reducing our ecological footprint means not only respecting the 3Rs (reduce, reuse, recycle), it also means paying attention to the many ways through which we contribute to pollution and wasteful consumption on a daily basis.

The following are UNEP’s tips to “Easily Green Your Routine,” launched in occasion of last year’s World Environment Day, illustrating how we could individually help the environment by refraining ourselves and consuming responsibly.
This year’s theme for World Environment Day (WED) is Your Planet Needs You! UNite to Combat Climate Change. But too often we are presented with environmental problems without being given the tools to act. WED is about taking action to be a part of the solution. And the Daily do something Tips are a great start.

We can all do our part to protect the planet by using less and acting more. Going green is not as difficult as you might think. Here we walk you through 30 easy ways to green your daily routine, from the moment you hit snooze on your solar-powered alarm clock to the point when you crawl into your eco-washed, organic cotton sheets.

Make your WED commitment today. But don’t stop at today and don’t stop here. Try to incorporate all of these into your life as a matter of routine. Get others to do so the same. And get involved!

**IN GENERAL**

- Plant a tree! Help achieve UNEP’s Billion Tree Campaign target of planting seven billion trees – one for every person on the planet – by the end of this year! Three billion are planted. Five billion are pledged. On every continent in the world trees can be planted in June, so start your efforts on WED.

- Find needy homes or charitable organizations for things that you no longer need or want rather than throwing it away.

*This article can be found online at www.unep.org/wed/2009/english/content/tips.asp*

For more information:
- UNEP’s website, www.unep.org
- 2010 International Year of Biodiversity, www.unep.org/ifyb/
- UNEP’s 12 Steps to Unite to Combat Climate Change, www.unep.org/wed/2009/english/content/steps12.asp
IN GENERAL

DAILY ROUTINE

Easily Green Your Daily Routine

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**AT HOME...**

- It would seem to go without saying, but many of us forget that we can save water in simple ways like not letting the tap run while shaving, washing your face, or brushing your teeth.
- Insulating your water heater will help save valuable energy, and you can go the extra mile by installing showerheads with a low flow in your bathrooms for bathing purposes to help save water. You can also put a timer on your heaters to save power.
- Using an electric razor or hand razor with replaceable blades instead of disposable razors goes a long way to cutting back on waste. And plant a tree.

**GETTING TO WORK...**

- Don’t go anywhere without your cloth bag so you can just say no to plastic whenever you shop.
- Radical as it may seem, in today’s “the easier the better” society, the easiest way to reduce your carbon footprint is by avoiding driving altogether. Power down and instead try biking, walking, carpooling, public transport or an occasional telecommute.
- If you have no other choice than to drive to work, look for the most fuel-efficient car model for your next purchase and keep your tyres inflated to the correct pressure.
- If you’re one of the lucky few blessed with clear stretches of road on your way to work, use cruise control, as it saves fuel and also helps you maintain a constant speed.
- Use towels for drying your face and hands instead of tissues that are used and thrown away. Also, hang your towels to dry so that they can be reused several times. You are after all clean when you use them!
- Juice or yoghurt lovers can do their bit by buying juice in concentrates and yoghurt in reusable containers instead of single serving packages.
- Many of us like to leaf through the paper as we munch on breakfast, but consider reading the dailies in communal spaces like the office or coffee shops. However, if you prefer to have your own copy, make sure you recycle!
- When packing your lunch, opt for reusable containers for food storage instead of wrapping the food with aluminum foil or plastic wrap.
- As you leave the house, don’t forget to switch off all the lights and appliances at the wall unit (if you have this feature) and unplug chargers as they continue to consume even if they are not charging; saving energy helps reduce air pollution.

* From UNEP’s World Environment Day 2009
* This article can be found online at www.unep.org/wed/2009/english/content/tips.asp
* For more information:
  - UNEP’s website, www.unep.org
  - 2010 International Year of Biodiversity, www.unep.org/iyb/
  - UNEP’s 12 Steps to Unite to Combat Climate Change, www.unep.org/wed/2009/english/content/steps12.asp
ACT MORE
www.unep.org
**AT WORK...**

- Do you have a morning hot drink routine? Using a washable mug is an environmentally-friendly alternative to non-biodegradable styrofoam or plastic cups.
- Leave a cup and reusable bottle for water at work to eliminate buying drinks, which get served in plastic cups, or bottled water. 80% of plastic bottles are recyclable but only 20% are actually recycled.
- When you need a pad for lists and messages, turn over an old document and write on the back of that instead.
- If there isn’t an office recycling system, start one yourself! Recycling our trash actually contributes to reducing global warming emissions. And it is estimated that 75% of what is thrown in the trash could actually be recycled, though currently only 25% is.
- When you must have a paper copy, make sure you default your printer option to use both sides. This is an easy tree-saver!

- Most computer accessories like ink cartridges and CDs and DVDs are made of materials that could be reused. Computer cords and speakers are fairly standardized, meaning they can be used for a variety of computer models and makes.
- Lower your office’s carbon footprint by seeing computers, monitors, printers, copiers, speakers and other business equipment to their energy saving feature and turning them off at the end of the day. And plant a tree!
- Turning off all unnecessary lights, especially in unused offices and conference rooms is an easy way to save energy.
- If you’re in search of something to personalize your workspace, look no further than the humble houseplant. Houseplants are good for the environment because they remove quantities of pollutants present in the air.

**AFTER A LONG DAY...**

- In the summer/warmer months, consider using an interior fan in conjunction with your window air-conditioner to spread the cooled air more effectively through your home. While you’re at it, in winter, lower your thermostat and put on a jumper. In summer, increase it and wear lighter clothes, you will also save money!
- Don’t place lamps or TV sets near your air-conditioning thermostat as it senses heat from these appliances, which can cause the air-conditioner to run longer than necessary.
- When cooking dinner, match the size of the pan to the size of the heating element to lower energy wastage.
- When you are feeling at your laziest, don’t throw clean clothes in the hamper to avoid hanging them up! Wear jeans more than once…
- When you wash, use only eco-friendly products in your home. It’s best for you and the environment! And did we mention plant a tree!
This article provides an introduction to the importance of climate change as a humanitarian and development issue, and an overview of current responses to climate change. It goes on to identify the potential of “access to justice” in addressing the perceived gap in these responses. It finds in particular that empowering the poor and disadvantaged in developing countries to adapt to climate change effects can help in delivering “climate justice.”

1. Climate change beyond its environmental context

Climate change is a specific form of environmental impact that has supranational rather than local or regional dimensions. Human beings all over the world contribute to climate change by emitting greenhouse gases into the atmosphere. The current level of emissions is too high for the forests and oceans to absorb. The resulting warming of the atmosphere has multiple effects, such as the melting of icecaps and changes in the course of the Gulf Stream, which in turn cause floods and rising sea levels, increased droughts and hurricanes.

Human beings all over the world contribute to climate change by emitting greenhouse gases into the atmosphere.

Climate change is a particularly acute concern for the following reasons: the severity and intensity of its impact, which could trigger natural disasters and cause irreversible ecological damage; the anonymous nature of actors responsible for global warming; the uncertainty about its long-term effects and, related to that, its potential role as a trigger and multiplier of forced migration, conflicts over natural resources, political unrest, and increasing state fragility.

The pain of climate change is accentuated in most of the developing countries. There, the poor and disadvantaged are disproportionately punished: their carbon footprint is limited, yet they often live in areas that are hit harder by the effects of climate change. They are not in a position to easily cope and many risk losing their livelihoods. This is what has been referred to as “climate injustice.” For these reasons, climate change has become a humanitarian and development issue.

2. Responses to climate change

(a) Mitigation.

Mitigation efforts focus on the man-made causes of climate change. They primarily include the adoption and implementation of international agreements and conventions, like the Kyoto and Montreal Protocols on the reduction of greenhouse gas emissions. Various countries have gone on
to encourage the development of green technologies and
to deter the use and manufacturing of products that help
cause global warming.

(b) Adaptation.
Adaptation efforts on the other hand address the current
and expected effects of climate change. They include poli-
cies and actions by governments to manage and cope with
these effects in their countries. Examples are the design-
ing of disaster plans, or the introduction of meteorological
warming systems. Adaptation may also mean investing in
long-term water management in places where rising sea
levels or flood risks pose a challenge.

3. The lack of adequate response

There is a perceived gap in the global response to climate
change.
Mitigation is largely seen as the responsibility of the major
industrialized countries. The developing countries’ role in
mitigation is much less significant because climate change
is mostly caused elsewhere. They simply suffer the effects.
For developing countries adaptation becomes a much more
pressing issue, in particular for many poor and disadvan-
taged people who are vulnerable to climate change. Indus-
trialized countries need to adapt, too, but they have the
money and technical knowledge available for their adapta-
tion efforts. Many of the developing countries do not have
adequate adaptation plans and strategies in place. Crucially,
they have not sufficiently engaged with their populations to
enable them to be prepared for changes that in many cases
will threaten even their livelihoods.

One approach to bridge the lack of adequate response can
be through “access to justice.” A number of development
organizations have elaborated access to justice programmes
in response to traditional legal reform programmes. Access
to justice aims to provide poor and vulnerable communities
with tools to overcome their disadvantaged position in so-
ciety. It may range from awareness raising, advocacy, legal
aid, increased democratic participation, and formal and in-
formal adjudication of disputes. Where governments have
failed to protect and sensitize the population, in particu-
lar those groups most vulnerable to the impacts of climate
change, access to justice can offer a compelling approach to
obtain “climate justice.”

4. Environmental Justice

In the early 1980s an “environmental justice” movement
emerged in the US on an access to justice platform. It found
that disadvantaged groups in society were disproportio-
nately affected by environmental degradation. Providing
them with access to justice it sought to redress the injustic-
es they suffered as a group. Popular environmental justice
tools included public interest litigation and class actions.

(a) Public Interest Litigation.
Public interest litigation allowed specific groups of citizens
to act on behalf of a public interest. This was considered
to be particularly useful where governments failed to act on their obligations to protect a public interest. Many environmental interest groups successfully sued polluting industries for harm to the environment, or challenged governments on their failing environmental policies.

(b) Class Action.
Class actions became popular in cases where a specific group of individuals each suffered a specific injury as a result of environmental damage. A good example is the upstream chemical plant that pollutes river water which is sued for damages by people living downstream. The question is whether these tools work similarly well in the climate change context.

5. How can climate justice be obtained?

(a) At the mitigation level. There is little success to be expected from litigation to mitigate global warming, for two reasons.
(i) There are technical barriers to climate change litigation. It is hard to establish a causal link between the actions of the emitters of greenhouse gases and the damage that the plaintiffs suffer from the resulting climate change. Almost everyone has a carbon footprint. Who could a delta dweller in Bangladesh sue for floods of the Ganges that are indirectly triggered by melting icecaps?
(ii) Even if lawsuits were available, these would provide little practical value for the situation found in most developing countries. That is because there are very few major polluters who contribute to global warming in those countries. Likewise, lawsuits targeting governments of developing countries that fail to comply with their mitigation obligations under national or international law would not make a significant impact. With the exception of a few major developing countries, it is mostly the industrialized countries that have heavy burdens to mitigate because of their much larger carbon footprint.

Emerging experiences suggest that access to justice on the mitigation level would be better achieved by other means. Advocacy for and on behalf of those who are most vulnerable to climate change in supranational decision-making fora could be an effective way. It would help decision makers put a face to the humanitarian dimension of climate change, making it impossible to ignore the devastating impact that failed mitigation efforts by the industrialized countries can have.

(b) At the adaptation level. Arguably, it is at this level that access to justice programmes can provide best results.
(i) Access to justice programmes can enable those most vulnerable to climate change to hold their governments accountable if they do not design implement, execute and enforce adequate strategies and policies that protect them from the effects of climate change.
(ii) The scope of access to justice would be too narrow if it just focused on access to court procedures. Obtaining justice for those groups most vulnerable to the effects of climate change requires an approach closer to the core: governments and development organizations need to ensure that they include those groups within the decision-making processes. The role of civil society and the media is crucial here. They are able both to communicate and advocate effectively on behalf of those groups when governments’ adaptation policies are inadequate, delayed or nonexistent. Ultimately, litigation could be a powerful way to force governments to act, or to challenge their incorrect or late implementation of adaptation measures.

(iii) The following is a simple example of how it could work. Poor farmers in sub-Saharan drylands may not be aware of long-term climate trends in their region. An awareness raising campaign informing them that in the near future their traditional crop will not be able to grow anymore can help prepare them for their future situation. Civil society and the media can play an important role in reaching out to the farmers and bringing their voice to the attention of the authorities and public. Part of the awareness process is informing the farmers of the rights that they have. These should then be involved in the decision-making process in determining how to provide for alternative agricultural farming. This would ensure that the solutions chosen meet their needs. Where the government fails to include them within the process and the policies ignore their concerns, the farmers could take the more radical step of challenging the government in court.

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united against crime
At the end of the first Gulf war, the Iraqi Government caused three major environmental disasters: the burning of the Kuwaiti oil fields, the deliberate spilling of oil into the Persian Gulf, and the destruction of the Southern Iraqi Marshes. The former two, which resulted in the imposition of compensation for the damages caused, have been widely studied. The fate of the Marsh Arabs or Maadan (which took place inside Iraqi territory and was not reported as much as the Kurdish issue in the North) is less renown. The Mesopotamian Marshes were the largest wetlands in Southwest Asia, extending along the Tigris, the Euphrates and the Shatt-el-Arab. They had been occupied by the Sumerian and Babylonian ancestors of the Maadan. Reeds were their main building material for houses and canoes, while rice, fish, water buffaloes and birds were their main source of food. The majority of the Maadan is composed by Shia Muslims, but include other religious minorities as the Mandeans. Religious scholars have located there the Garden of Eden, the Deluge and the place of birth of Abraham. In 1991 the Maadan and other Shia revolted against the regime and took refuge in the Marshes. The Government responded with a campaign against the “foreign, monkey faced” Maadan, and attacked the environment that supported them. In a few years they built a system of draining canals that reduced the marshes to 7% of their initial 15,000 km². The wetlands turned into a salt crust, and the vegetation and life disappeared. The water flowed unfiltered into the Gulf.

Iraq had a series of obligations according to Conventional International Law. Article 2.c of the Convention on the Prevention and Punishment of the Crime of Genocide forbids “deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part.” The destruction of the ancestral territory of the Maadan is included in this definition. As the terms of this Convention are included in the statute of the Iraqi Special Tribunal, we will examine this point later. The Saint Petersburg Decla-
Iraqi Marshes

* Daniel Ruiz

© NASA
ration of 1868 stipulated that “the only legitimate object which States should endeavour to accomplish during war is to weaken the military forces of the enemy.” Article 22 of the 1907 Hague Convention stipulates that “[t]he right of belligerents to adopt means of injuring the enemy is not unlimited.”

The 1949 Fourth Geneva Convention forbids the destruction of goods “except where such destruction is rendered absolutely necessary by military operations.” Article 3, common to all four of the Geneva Conventions, covers armed conflicts not of an international character and stipulates that “persons taking no active part in the hostilities,... shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth,” and could be applied to the case of the Maadan, as many were killed by Iraqi forces during the drainage operations, and many more were dispossessed of their homes and livelihoods. Two articles common to the International Covenant on Economic, Social and Cultural Rights and the Covenant on Civil and Political Rights stipulate that “[a]ll peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence and “nothing... shall be interpreted as impairing the inherent right of all peoples to enjoy and utilize fully and freely their natural wealth and resources.” The difficulty with these dispositions is the concept of “people.” Should the Maadan people or the Iraqi people be the subject of this disposition? This ambiguity does not facilitate the application of the Human Rights Covenants.

Iraq was part of fifty treaties that included environmental provisions. The Convention Concerning the Protection of the World Cultural and Natural Heritage cannot be applied because the Marshlands of Mesopotamia are not included in the World Heritage List. Besides, States have lower obligations towards objects located in their own territory than towards those located in another State. The Kuwait Regional Convention for Co-operation on the Protection of the Marine Environment from Pollution and its Protocols can help compensate Iraq’s neighbours for the increase of the marine pollution, but it does not protect the Maadan for the loss of their marshlands.

Some Treaties dealing with the conduction of war also include environmental provisions, but Iraq was not part of them.

The Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques (ENMOD) forbids large scale environmental modifications (such as deforestation, weather modification, or any other conduct ‘having widespread, long-lasting or severe effects). To be banned, the techniques must have “widespread, long-lasting or severe effects“ - one condition is sufficient. “Widespread” is defined as “encompassing an area of several hundred square kilometres; long-lasting as lasting for a period of months; and severe as involving serious or significant disruption or harm to human life, natural and economic resources or other assets.” The destruction of the Marshes fulfills all these conditions. Iraq, however, is not part to the Convention. Moreover, this is only applicable to international conflicts.

The First Additional Protocol to the Geneva Conventions relates to the protection of victims of international armed conflicts (1977). It is also applicable in “armed conflicts in which peoples are fighting against colonial domination and alien occupation and against racist régimes in the exercise of their right of self-determination.” Article 35.3 prohibits “methods or means of warfare which are intended, or may be expected, to cause widespread, long-

The environmental destruction thus turns into a crime due to its humanitarian consequences.
The best way to prevent other people from suffering a similar fate is to prosecute the perpetrators.

The term and severe damage to the natural environment.” The threshold is higher than in the ENMOD (because of the conjunction and), but the damage caused to the Marshes largely fulfills these conditions. Article 54 forbids “to attack, destroy, remove or render useless objects indispensable to the survival of the civilian population.” Article 55 specifically protects the environment and the population that depends from it: “care shall be taken in warfare to protect the natural environment against widespread, long-term and severe damage. This protection includes a prohibition of the use of methods or means of warfare which are intended or may be expected to cause such damage to the natural environment and thereby to prejudice the health or survival of the population. Attacks against the natural environment by way of reprisals are prohibited.” The provisions of the First Protocol would be applicable in case this treaty acquired the rank of customary law, or if it can be proved that the Maadan fought against a racist regime or in the exercise of their right of self-determination. Protocol II of the Geneva Conventions applies to non-international armed conflicts between the armed forces of a state and dissidents “which exercise such control over a part of its territory.” This Protocol does not include specific environmental protection provisions, but article 17 specifically forbids the forced displacement of civilians: “The displacement of the civilian population shall not be ordered for reasons related to the conflict unless the security of the civilians involved or imperative military reasons so demand... Civilians shall not be compelled to leave their own territory for reasons connected with the conflict.” This provision was clearly breached, as the Maadan were displaced by the destruction of their environment, and not for security reasons or for imperative military reasons, given that by that time the armed conflict had already ceased. However, Iraq is neither part of Protocol I nor II, and it is not clear whether they have become part of customary law, because Iraq has consistently dissented. The Rome Statute establishes an International Criminal Court to judge crimes against humanity. Article 8.2.b.iv forbids “Intentionally launching an attack in the knowledge that such attack will cause... widespread, long-term and severe damage to the natural environment which would be clearly excessive in relation to the concrete and direct overall military advantage anticipated.” It is clear that the attack to the Marshes was launched with the intention to cause widespread, long-term and severe damage to the environment and that it was excessive in relation with any military advantage obtained.

Some of the provisions of the Rome Statute have been collected by the Supreme Iraqi Criminal Tribunal, created in 2003 and reformed in 2005. It has jurisdiction over Iraqi nationals accused of committing the following crimes between 1968 and 2003: Genocide, Crimes against Humanity, War Crimes and the violation of certain Iraqi laws. It defines environmental crime in the same terms as the Rome Statute. It could be useful to indict the officials of the previous regime for damage to the environment during the invasion of Kuwait, but not for the situation of the Marshlands, because it can only be applied to international conflicts. Genocide is defined (article 11.1) in the same terms as the Convention against Genocide. At least the three of the acts included in this definition were inflicted on the Maadan: “killing members of the group; causing serious bodily or mental harm to members of the group; deliberately inflicting on the group living conditions calculated to bring about its physical destruction in whole or in part.” As the act of rape was considered instrumental to commit genocide in Rwanda, similarly, the draining of the Marshes could be considered instrumental for the genocide of the Maadan. The destruction of the Marshes was therefore not only an environmental disaster, as its intention was the commission of a humanitarian atrocity. Article 12 lists ten acts as Crimes Against Humanity, including “other inhumane acts of a similar character intentionally causing great suffering, or serious injury to the body or to the mental or physical health.” It does not require a link to an armed conflict. The environmental destruction thus turns into a crime due to its humanitarian consequences.

The draining of the Marshes could be considered instrumental for the genocide of the Maadan.

The future of the Maadan people is uncertain. Although part of the Marshes have been re-flooded, the construction of dams upstream and climate change have, nonetheless, reduced the amount of water available. Many have built a new life in urban environments and would not return to the Marshes. The best way to prevent other people from suffering a similar fate is to prosecute the perpetrators. Many officials of the previous regime have been prosecuted and some, including Saddam Hussein, have been executed, but none have been held accountable for the numerous environmental crimes committed. A conviction for such crimes would represent a beacon regarding the protection of the environment during armed conflict.

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The Nigerian Delta states are blessed with rich resources in natural oil and gas. A blessing that can sometimes turns into a curse, especially when looking at the oil extractions in the Niger Delta from a human rights perspective.¹

* Anja Roth

Environmental Destruction and Human Rights in the Niger Delta

The Niger Delta region has a rich and diverse flora and fauna: there are vast mangrove forests and a wide variety of animals that are specifically native to the particular ecosystem prevalent in that area. The oil in the region is being extracted, mostly by international companies, by way of drilling, a technique involving unavoidable oil spills and uncontrolled gas flaring. This alone, however, could be manageable, since there are guidelines that the international oil extracting companies operating in Nigeria have to observe. The Environmental Guidelines and Standards for the Petroleum Industry in Nigeria (EGASPIN), describe the rules to keep environmental pollution down to a minimum while extracting oil. However, in the past there have been several cases involving international corporations that did not observe those rules strictly enough, and situations in which environmental pollution was not cleaned up at all by the waste producer.² Amnesty International describes
several examples in which international corporations have left oil spills unattended for weeks, even after the local population had made several complaints in that regard.3 The fact that natural gas, a by-product of oil extraction, is still currently being burnt by the oil companies, which again causes air pollution, is only one of the problems. When it comes to the consequences of oil extractions on the environment of the Niger Delta, several human rights are being violated. First of all, the right to health and a healthy environment, which is stated in the International Covenant of Social, Economic and Cultural Rights,4 in the African Charter on Human and People’s Rights5 and the Universal Declaration of Human Rights6. Because the oil makes its way into the water system of the Delta, drinking water becomes polluted and fish die. This obviously has negative implications for the local population of the Delta, which mainly live off fishery and farming. Moreover, because of the environmental pollution caused by the oil drillings and the fact that oil companies are moving into the lands of the native population, who, in most cases have no legal means to withhold them from doing so, the right to an adequate standard of living, including the right to food and water, are also severely endangered.7 There have been some legal cases that have dealt with these issues of concern, showing that international companies can no longer turn a blind eye to the human rights violations on which their actions might have impacted.

**Corruption and Human Rights**

Corruption is another problem affecting the human rights situation of the people living in the Niger Delta. As the UNDP Human Development Report Nigeria 2008-2009 rightly states, “[c]orruption has under developed Nigeria.”8 As a result, Nigeria has occupied for many years one of the last places on Transparency International’s Annual Corruption Perception Index; the case of the plundering of former President Sani Abacha9 is just one of the most prominent examples illustrating this ranking.10 Corruption is a problem that has been accepted on a national level as well, as the Nigerian Economic and Financial Crimes Commission (EFCC) has estimated that Nigeria’s own corruption and theft eaches approximately $420 billion.11 With the revenues of oil and gas exportation representing 95-99 percent of Nigeria’s export revenues, one would expect the Niger Delta region to be a prosperous place. However, according to the World Bank, only one percent of those revenues actually reach the population, with the sad reason for this misdistribution being corruption.12 This is quite unfortunate especially since local residents would urgently need this money to be spent on food, clean water, health care, environmental protection and reconstruction. As UNDP states “Nigeria’s dependence on a single major source of exports and revenues, that is, oil and gas, is at the root of the problem of corruption in the country, presenting a large economic prize that can be appropriated with relative ease by the political elite.”13 Other cases that further illustrate the corruption problem, include the one of the Nigerian Health Minister, Adenike Grange, who resigned in March 2008 after the EFCC brought corruption charges against her.14 In October 2009, “Olabege George, Chieftain of the People’s Democratic Party was convicted for financial crimes.”15 Of course, these developments can also be seen as positive signs of an increasing awareness on corruption in Nigeria. Moreover, there are also several cases in which Nigerian state officials have been tried for corruption and money laundering charges abroad; amongst them, Diepreye Alamieseigha, Governor of Bayelsa, and James Ibori, Governor of the Delta States. Once more, this shows that corruption is not as an unattended issue anymore in Nigeria, as it used to be. However, stronger efforts are needed to bring about effective changes for the Nigerian people. Some positive steps in the field of anti-corruption have already been taken by the government itself in passing “a fiscal responsibility bill which institutionalises the use of an oil price-based fiscal rule (OPFR), with earnings above a conservative estimate of the global oil price saved in an excess crude account.”16 However, it will be crucial to use the money collected in that account for the good of the Nigerian population.

**Conclusion**

The Nigerien Delta States have a great potential for development and prosperity. However, it is clear that the fruits of the natural resources and the consequent development can be fully enjoyed only if environmental pollution and resulting human rights abuses and corruption come to a halt. To reach this end, stronger international cooperation and monitoring is needed so that the “abundant human and natural resources” in the Niger Delta will finally have “an impact on poverty” and on human rights.17 The first steps have been taken and the United Nations Environment Programme is moving into the area to conduct assessments on the environmental situation. As UNDP rightly puts it, “rigorous enforcement of environmental laws and standards” is crucial. Moreover, all the relevant legislation in respect of human rights is there, it only has to be properly enforced.

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1 This article is based on a paper written for the Yale University Press by Alan Baracena and Anja Roth in December 2009
2 See website of the United Nations Environment Programme http://www.unep.org/conflictsanddisasters/
4 See website of the United Nations Environment Programme http://www.unep.org/conflictsanddisasters/
6 Art. 25
7 UDHR, Art. 25, ICESCR, Art. 11.
9 http://www.aphr.org/aphr/node/52777df4-a33e-11de-b81f-33550754ab65.0?sessionid=2B0FED22B8C0F5C7886A5S2EDD1
10 http://www.transparency.org/policy_research/surveys_indices/eoi/2009
11 http://www.efcorigeria.org
Whilst there is little specific data demonstrating the involvement of organized crime groups in wildlife crime (i.e. known members of such groups who have been convicted of wildlife crime offences), there is a considerable number of indicators of such involvement. For example:

» Organized structure to poaching: use of gangs, supply of vehicles, weapons and ammunition;
» Provision of high-quality lawyers;
» Corruption of judicial processes;
» Violence against law enforcement personnel;
» Corruption of law enforcement personnel;
» Exploitation of civil unrest;
» Financial investment in the start-up phase and in the technology needed for processing and marketing;
» Attitude of “inviolability” displayed by those involved;
» Sophistication of smuggling techniques and routes;
» Use of “mules” and couriers;
» Use of persons of high political or social status;
» Sophisticated forgery and counterfeiting of documents;
» Use of monetary and sexual bribes, blackmail and other means to corrupt officials;
» Use of fake or “front” companies;
» Fraudulent advertising of wildlife and widespread use of the Internet;
» Previous convictions for other types of crime;
» Use or ownership of wildlife by organized crime group members;
» Huge profits.

The last indicator is probably the most relevant, since the history of organized crime tells us that it is invariably attracted to criminal activities that generate substantial profits in a relatively short time.

* John Sellar
Are there links between wildlife crime and terrorism?

Whilst it is relatively easy to demonstrate links between wildlife crime and organized crime, identifying any links to terrorism is more complex. Much depends upon what is regarded as “terrorism” or how one defines a “terrorist.” After all, today’s terrorist can be viewed as tomorrow’s freedom fighter. In a similar vein, today’s terrorist can be a democratically-elected politician tomorrow.

It has long been recognized that rebels in some African countries are engaged in the poaching of elephants and illegal trade in ivory in order to fund their activities or to buy weapons and ammunition. In one central African country, a rebel group went so far as to threaten to kill highly-endangered gorillas unless government forces withdrew from rebel-held areas. Consequently, although they were not in the rebels’ physical possession, the gorillas were almost hostages of the guerrillas. In areas bordering the Caspian Sea, rebel groups are suspected of engaging in illicit trade in caviar, although it is not clear whether some of these groups have been truly politically-motivated or simply organized crime posing as freedom-fighters.

Much like organized crime, terrorist groups and cells have historically turned to crime to fund their activities, particularly for their purchases of arms and explosives. This was evident in organizations such as Action Directe, the Provisional Irish Republican Army (PIRA) and...
The poverty faced by some rural communities often forces them into poaching or leaves them open to exploitation by organized criminal groups and networks. Residents of homes, such as this one in the Amazonian region of Brazil, may engage in illegal harvest of rare parrots or crocodilian species.

The trade in primates for the pet trade or for private collections is particularly destructive to the species. Since adult primates can often be aggressive, it is juveniles that are taken from the wild and sold. However, to obtain them, their mothers (and other members of the family group) may often be killed. This may result in 5-6 primates being killed, to capture one youngster. This very young chimpanzee, seized by the authorities, is now in a rescue centre in Abuja, Nigeria.

Bird markets, such as this one in Jakarta, Indonesia, offer for sale a wide range of species for purchase as pets. The majority of those openly on display will be legal but, behind the scenes, many criminal deals take place, including the sale of rare primates such as gibbons and orang-utans.
the Red Army Faction (Rote Armeefraktion). It does not seem unreasonable to therefore forecast that several of today’s terrorist groups may be attracted to the relatively easily-acquired profits of wildlife crime. A great extent will probably depend upon the availability of such wildlife and their access to markets. PIRA, for example, in illicitly trading in tax-free diesel fuel (intended for tractors and other farm machinery) exploited the large agricultural communities in Northern Ireland. Action Directe used to rob banks. Nevertheless, if banks are few and far between, but caviar, elephants, rhinoceroses or tigers are in the neighbourhood, there could be an incentive to resort to poaching to fund their initiatives, thereby potentially establishing plausible connections between wildlife crime and terrorism.

**How to respond?**

It is regrettable that for wildlife crime to be taken seriously or to become a law enforcement priority, it is first crucial to establish links between that wildlife transgression and organized crime or terrorism. Banks are covered by insurances and the money stolen can therefore be replaced. But once the last snow leopard is poached, it is gone forever. The illegal harvesting, the cross-border smuggling and the illegal trade in natural resources involves substantial levels of criminality. To those involved, it can bring profits that greatly exceed those acquired by criminals engaged in trafficking narcotics, humans or firearms. It involves the exploitation of men and women in some of the world’s poorest communities. Every year, law enforcement officials combating such crimes lose their lives, are seriously injured, and face harassment and corruption attempts. Yet illegal activities targeting fauna and flora continue to be viewed outside of the realm of mainstream crime.

Wildlife crime threatens food, bio- and national-security; it weakens the governance of many States, it raises the risks of spreading virulent diseases, and it shows no signs of declining. When one species is depleted or brought to the brink of extinction, attention shifts to another one. When the demand for tiger bones could no longer be easily supplied because of the animals’ increasing rarity in Asia, leopards were killed instead. When leopards became harder and harder to locate, the focus shifted to lion bones acquired in Africa. Illegal logging accrues profits ranging in the several billion US dollars each year, with a correspondingly severe loss of revenue to national governments. Unregulated and unreported fishing takes place at similar levels but, despite affecting most nations in the world, it is less noticeable than other types of wildlife crime. Combating such crimes is, to a significant extent, uncoordinated, under-funded, under resourced, and under appreciated. The war against trafficking in drugs, humans, firearms, diamonds and other illegally-traded commodities with high profiles among the enforcement communities and the general public will inevitably be a long term one, with many individual battles along the way. Several of the world’s rarest animals and plants, however, cannot afford such a long-term war, as they face extinction now.

The international coordination of the efforts to protect the wildlife and to support national authorities is woefully inadequate and often overwhelmed by the demands placed upon the very few individuals involved. The international coordination of the efforts to protect the wildlife and to support national authorities is woefully inadequate and often overwhelmed by the demands placed upon the very few individuals involved. At the national level, the front-line staff suffers from a lack of legal authority, equipment, training, inter-agency cooperation and access to modern policing methods. Attempts to plug the gaps and to deliver assistance have tended to be haphazard and have often not been harmonized, well-structured or properly evaluated.

In November 2009, representatives from the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the International Criminal Police Organization (INTERPOL), the United Nations Office on Drugs and Crime (UNODC), the World Bank and the World Customs Organization came together in recognition of the increasing threat to natural resources posed by wildlife crime.

Whilst several of these organizations had previously worked bilaterally on this subject, this was the first occasion that the five agencies had come together to jointly collaborate on this issue and on any other form of related crime. The agencies decided to form the International Consortium on Combating Wildlife Crime (ICCWC) in order to move forward together.

The members of this Consortium are currently in the process of designing a programme to assist countries in coordinating their efforts to protect the world’s natural resources, to combat wildlife crime and to bring these perpetrators to justice; further details of the programme are expected to be announced in the near future.

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Concern about environmental crime has been recently gaining increasing attention from the public. The effects of climate change are already affecting our daily life: from temperature increases, to less frequent rains, shrinking glaciers, rising sea levels, and increasing numbers of extreme weather events. The number of films about environmental issues has increased accordingly, albeit not always supported by adequate financing.

### About Climate Change

**Waterworld (1995):** a post-apocalyptic science fiction film directed by Kevin Costner. After the doomsday event of a massive flood caused by global warming, the ramshackle remnants of the human race who survived live in large floating constructions made of various rusty junk and grimy debris found floating in the ocean.

**An Inconvenient Truth (2006):** the flag documentary about climate change. Davis Guggenheim presents the campaign of former US Vice-President Al Gore to educate citizens about global warming via a comprehensive slide show. The film was a box-office success and earned several awards.

**The Great Global Warming Swindle (2007):** a UK documentary film arguing against the scientific consensus that global warming is “due to the observed increase in anthropogenic greenhouse gas concentrations.” It asserts that man-made global warming is not only “a lie,” but also “the biggest scam of modern times.”

**The Story of Stuff (2007):** an animated documentary about the life-cycle of material goods. Activist Annie Leonard wrote and narrated the film. The 20-minute video presents a critical vision of the consumerist American society. The video divides the materials economy into a system composed of extraction, production, distribution, consumption and disposal, and it can be found at www.storyofstuff.com.

**Home (2009):** a documentary by Yann Arthus-Bertrand and Luc Besson. The film is almost entirely composed of aerial shots of various places on Earth showing the diversity of life on Earth and how humanity is threatening the ecological balance of the planet. The film was launched on 5 June 2009 (World Environment Day) and has no copy right; it can be found at www.home-2009.com/us/index.html.

**The Age of Stupid (2009):** an impacting drama-documentary-animation hybrid which stars Pete Postlethwaite as a man living alone in the devastated world of 2055, watching archive footage from 2008 and asking “Why didn’t we stop climate change when we had the chance?”

**Terra Reloaded (2009):** a documentary produced by Beppe Grillo (famous Italian comedian, anti-corruption activist, blogger, actor and politician) in collaboration with Greenpeace, dealing with the issues of sustainability through interviews to the most authoritative world experts in energy and economy: Joseph Stiglitz, Michael Pollan, Jeremy Rifkin, Lester Brown, Mathis Wackernagel and Wolfgang Sachs.

### About Environment and Conflicts

**On the Beach (1959):** directed by Stanley Kramer, it describes a world devastated by nuclear conflict, in which the few survivors in the Southern Hemisphere wait for the end provoked by nuclear fallout.

**Turtles Can Fly (2004):** Bahaman Ghobadi’s film is set in a Kurdish refugee camp on the Iraqi-Turkish border on the eve of the US invasion of Iraq. The thirteen-year-old boy called Satellite is known for his installation of dishes and antennae for local villages looking for news about Saddam Hussein’s fall. He is the dynamic, but manipulative leader of the children, organizing the dangerous and exploitative clearing of the minefields. He falls for an orphan named Agrin, a sad-faced girl travelling with her disabled but smart brother Henkov, who appears to have the gift of clairvoyance. The siblings care for a blind toddler, who happens to be the son of young Agrin, who had been raped some years before.

**Agent Orange: the last battle (2005):** a documentary illustrating the plight of two American Vietnam veterans who deal with life after being exposed to Agent Orange.

**Blood diamonds (2006):** an attempt to reconcile the “showbiz” with a social commitment to denounce the ravages provoked by the “resource wars” in Africa.

**Dawn of the World (2008):** a film by Iraqi director Abbas Fahdel about the multiple impacts of the Iran-Iraq War, the Gulf War and the 1991 uprisings in Iraq. Escaped from the Gulf War, soldier Riad takes refuge in the Great Marshes in Southern Iraq. He dreams of having a new existence beside Zahra, but an armed conflict starts, opposing the local insurgents to the troops of Saddam Hussein, in a struggle that will eventually destroy this Garden of Eden.
**About Environment and Conflicts**


**About Biodiversity, Health, Food and the Environment Construction**

The Day of the Owl (1961): based on a novel by Leonardo Sciascia, the film narrates the tour of duty in Sicily of a Carabinieri Captain who is investigating the assassinations commissioned by the construction mafia. The Captain is ultimately relocated away from the island by the authorities.

Hands Over the City (1961): Francesco Rosi tells the story of a ruthless Neapolitan land developer and elected city councilman who uses his political power to make a personal profit in a large scale suburban real estate deal. However, after the collapse of a residential building, a Communist councilman initiates an inquiry on the accident.


**The Freshman (1990):** featuring a Marlon Brando mimicking himself as Don Corleone, this farcical comedy tells the story of a ring of traffickers of endangered species who then serve them at a special “gourmet club” for millionaires. The Freshman (1990): the true story behind a 60 Minutes television episode, as seen through the eyes of a tobacco executive, Jeffrey Wigand, who reveals that his employers added chemicals to cigarettes to reinforce the pleasure of smoking them. The stakes are very high: peace, economic security and marriage.

Congo: White King, Red Rubber, Black Death (2003): the story of the brutal colonisation of central Africa at the hands of King Leopold II of Belgium, who then turned it into a vast private rubber-harvesting labour camp in which millions died.

Darwin’s Nightmare (2004): Hubert Sauper portrays the introduction of the voracious Nile Perch and how it has ruined not only the ecological balance of Lake Victoria, but also the lives of the surrounding population, exploited by shark industries that export its meat to the whole world. The locals are fed with the rotten and dried carcasses of the perches. The planes that are transporting the fish out of the country are then loaded with weapons on the return flight. The Ukrainian pilots use the services of the local prostitutes. A frightening prelude to the New World Order.

The End of the Line (2009): directed by Fernando Meirelles and based on the namesake novel by John le Carré, it tells the story of Justin Quayle, a man who seeks to find the motivating forces behind his wife’s murder. A drug corporation is using Africa’s population for fraudulent testing of a drug with known harmful side effects and in disregard of the well-being of its human test subjects.

Thank You for Smoking (2006): a US satirical comedy that follows the machinations of Big Tobacco's chief spokesman, Nick Naylor, who lobbies on behalf of cigarettes while trying to remain a role model for his twelve-year-old son.

The Insider (1999): the true story behind a 60 Minutes television episode, as seen through the eyes of a tobacco executive, Jeffrey Wigand, who reveals that his employers added chemicals to cigarettes to reinforce the pleasure of smoking them. The Freshman (1990): the true story behind a 60 Minutes television episode, as seen through the eyes of a tobacco executive, Jeffrey Wigand, who reveals that his employers added chemicals to cigarettes to reinforce the pleasure of smoking them.


The Constant Gardener (2005): directed by Fernando Meirelles and based on the namesake novel by John le Carré, it tells the story of Justin Quayle, a man who seeks to find the motivating forces behind his wife’s murder. A drug corporation is using Africa’s population for fraudulent testing of a drug with known harmful side effects and in disregard of the well-being of its human test subjects.

Congo: White King, Red Rubber, Black Death (2003): the story of the brutal colonisation of central Africa at the hands of King Leopold II of Belgium, who then turned it into a vast private rubber-harvesting labour camp in which millions died.

The End of the Line (2009): directed by Ermanno Olmi, this collective film takes its name from the biannual Food Forum organized by Slow Food that intends to mend the catastrophic fracture between man and nature, to make agriculture the engine of the new millennium, and to create a bottom-up globalization in the name of sustainability.
Bridging the urban divide
Why cities must build equality

- How Cape Town is rising to the World Cup challenge
- New report highlights progress on Millenium Development Goals
- Interview: Marcio Fortes, Minister of Cities, Brazil
It is true that “green criminology” should be grounded in the principles of environmental justice and help with the production of relevant legislative tools for the defence of the earth. However, there are conducts which violate even the limited and inconsistent existing norms. A variety of such conducts can be detected in the “rubbish crisis” experienced in Naples two years ago.

In Naples, local administrators have failed, or more likely avoided, to find a solution to rubbish disposal due to the presence within its territory of a myriad of groups with a vested interest in this specific industry. The fear of losing political support has led the local authorities to contract the business of garbage management to a large number of small companies, despite the dysfunctional effects that such unregulated segmentation had visibly caused.

Some would attribute this distribution of “favours,” to the peculiar Neapolitan way of practising the principles of democracy; in reality, Vilfredo Pareto (Italian economist and sociologist of the 19th Century) sees it as a fundamental feature of democracy itself. In the “cynical” analysis of Pareto, the essence of democracies is the patron-client relationship, a relationship based on the most part upon economic interests. In his view, in order to maintain their stability, democratic systems have to aggregate the various centres of patronage and the various clienteles in such a way that they are all satisfied.

This Paretian arrangement, however, proved to be politically effective but economically disastrous for Naples, to such an extent that an “Extraordinary Commissioner for Rubbish” was appointed by the central government in 1994. The small companies, in other words, proved themselves to be competent in ensuring consensus and votes, but inept in delivering the services entrusted to them. The newly appointed Commissioner, however, lacking the awareness of the local political alchemy, found no cooperation in the region of Campania and its capital Naples. A new Commissioner was therefore appointed; he planned an ambitious large-scale integrated cycle which included differentiated garbage collection, its dumping in controlled sites, its transformation into compressed materials termed “ecoballs,” and the conversion of the latter into combustible oil. This, finally, was to be sent to incinerators and turned into electric energy.

Only in 1998 did this plan go out to tender and the winner, a corporation offering surprisingly low costs, took on the commitment to manage the whole cycle and to build the necessary facilities.

The corporation showed its negotiating power by obtaining the permission to build disposal sites wherever they chose, as a reward for charging such a low price for its services. The place chosen was Acerra, namely an area where a new paediatric hospital was due to be built. While the inhabitants of Acerra started to riot, it became apparent that, even when completed, the prospective disposal sites would only be sufficient to process fifteen per cent of the garbage produced in the region.

The company limited its job to the destruction of the rubbish

Firms set up by organised criminal groups proliferated, including improvised lorry owners limiting their role to the transportation of garbage.
The small camorra entrepreneurs realised that one kilo of rubbish was worth more than one kilo of tomatoes.

as this was brought by the lorries, compressing hundreds of thousands of “ecoballs,” and burying them in some existing regional sites, or sending them abroad. According to the agreement between the Regional authority and the company, while the whole cycle and plant were being completed, some sub-contractors would have been chosen for the disposal of the rubbish. This “interim” solution, in fact, lasted from 2000 to 2007, when it became clear that the old system based on numerous sub-contracts granted to small companies had never been abandoned. In fact, the aforementioned Paretian distribution of favours intensified, causing frenetic estate activity in the area, with land being sold at three-four times its market value. New small entrepreneurs entered the scene, buying land from private owners and, pending improbable authorisation, turning it into disposal sites.

The new set of adventurous entrepreneurs expanded the already large area of illegal waste disposal, stepping up the provision of illicit dumping services to industrialists from the North of Italy. In the previous years organised crime based in the Campania region (the camorra) had often offered waste-disposal services to firms operating in the North, including those producing poisons such as dioxane. Under the new circumstances, firms set up by organised criminal groups proliferated, including improvised lorry owners limiting their role to the transportation of garbage. The complicity of local politicians was detectable in the hasty, routine authorisations given to such improvised entrepreneurs, some of which used cover names of family members or associates without a criminal record. The small camorra entrepreneurs realised that one kilo of rubbish was worth more than one kilo of tomatoes, thus turning as much land as they could into illicit dumping sites. Sites that had been previously shut down by the authorities due to their dangerousness for public health were also utilised.

After an emergency situation that had been lasting for fourteen years, and with a waste of money worth about eight billion euros, the situation culminated in what was called the 2007-2008 waste crisis, when sixty tons of rubbish were scattered on the streets of the Naples province. In the city of Naples alone, there were five thousands kilos of trash lying on the street. Some aspects of the case just described are far from unique. Research conducted in previous years has shown that processing industrial waste without a licence and sidestepping environmental regulations “is cheaper and faster.” Recent cases which had occurred in Germany show that, even in countries where the legislation is progressive and clear, illegal disposal of waste is still widespread. Such cases emerged when a mismatch was noted between the quantity of waste expected and the amounts actually received by the incinerators operating in the eastern regions of the country. The missing portion of waste was found to have been dumped in illegal disposal sites. Cases such as these, occurring in the highly ecologically aware country of Germany, may be surprising. However, the paradox is that the development of illegal dumping services runs parallel with the very increase in environmental awareness, the latter forcing governments to raise costs for industrial dumping, which indirectly encourages industrialists to opt for cheaper, if illicit, solutions.

Past and current cases of illegal waste disposal share a key characteristic, displaying the dynamics of a specific partnership between the official economy and organised crime. Organised crime offers a service to legitimate businesses and receives in exchange opportunities for entrepreneurial development. The case of Naples, however, offers new food for thought that may alter previous analytical assumptions.

The judicial investigation that followed was a response to widespread stereotypes. First, that the responsibility for the rubbish crisis was to be directly attributed to organised crime; second, that the root of the problem was the demagogy of the environmental movement. In fact, organised crime found business opportunities thanks to the inefficiency of legitimate entrepre-

Organised crime offers a service to legitimate businesses and receives in exchange opportunities for entrepreneurial development

neurs and the “dirty collar offenders” operating among them. Moreover, even the trite adage, whereby entrepreneurs from the North of the country find an unfavourable atmosphere for business in the South due to the activities of organised crime, proved to be totally inaccurate in this case. The case discussed above shows that the prime beneficiaries of the chaotic situation were the very actors who produced it, namely the legitimate companies who, after giving organised crime a chance to offer their services, blamed organised crime itself for their own incapacity to deliver what was required by contract. Among the other benefits gained was a request for more funds to perform a job which, as it was claimed, was hampered by chaos and by the insatiable request of protection money by local criminal groups. Dirty collar crime, in brief, had created a particularly favourable climate for business: causing chaos had boosted profits. False blame allocation also proved ineffective with regard to the purported demagogy of the local environmental movement and the local authorities’ unwillingness to host waste disposal sites on their territories. The investigation showed clearly that the environmental movement and the local representatives started mobilising only when unauthorised sites were used, including a site destined for the construction of a new paediatric hospital.

In conclusion, by observing the case of Naples, one may well suggest that the term “organised crime” should be abandoned altogether in favour of the term “illegal enterprise.” This is carried out by businessmen, politicians, and some members of criminal syndicates.

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Environmental crime is an expanding crime area and a growing international problem. The significance of this kind of crime cannot be under-estimated when it has a direct impact on the economic, environmental and cultural lives of communities worldwide with serious impacts on human health, biodiversity and the environment. While it is difficult to put a figure on the money made from the illegal trade in wildlife, electronic waste and hazardous chemicals the potential profits are huge. In this respect, there is evidence to suggest that some environmental criminals also engage in other significant areas of crime, referred to as ‘crossover crime’. These crime types vary but include murder, falsification and forgery of documents, passport fraud, corruption, bribing officials, possession and use of illegal weapons, and other smuggling issues such as drugs, firearms, and human trafficking. Against this backdrop, INTERPOL first became active in the fight against environmental crime in 1992 and its activities have grown significantly since, expanding areas of co-operation with many national, international and non-governmental agencies across its network of 188 member countries. Evidence of INTERPOL’s success thus far is the recent launch of a dedicated Environmental Crime Programme which now recognizes that there are many types of environmental crime, varying in immediacy and scope. Environmental crime is not confined to wildlife or pollution, it also includes, but is not limited to, climate change crime and corruption, ocean related crimes such as illegal, unreported and unregulated (IUU) fishing, illegal logging, biosecurity and natural resource crime such as water theft or protected area interference. Tracking and understanding the modus operandi of criminals is today at the heart of INTERPOL’s efforts to tackle environmental crime. INTERPOL works to achieve this by delivering state-of-the-art services and tools such as its secure international law enforcement communication system, its internationally wanted persons alert (Red Notice) or its extensive international nominal criminal database. From a criminal perspective, environmental crime is often seen to be a high-profit, but low-risk crime. This low-risk status can be the result of inadequate detection due to a lack of environmental law enforcement expertise, resources and...
When an investigation starts off enforcement operations, it tries and supports domestic law formation between member countries to encourage the exchange of information and intelligence on environmental crime. Pollution Crime Working Groups are an important tactic in combating environmental crime, especially in its priority crime areas. The INTERPOL Wildlife Crime and Environment Programme’s report titled “From Conflict to Peacebuilding, The Role of Natural Resources and the Environment.”

Intelligence exchange and operations

The INTERPOL Wildlife Crime and Pollution Crime Working Groups help encourage the exchange of information between member countries and support domestic law enforcement operations. When an investigation starts off locally in one country and expands into other countries it can often place an agency or an officer into unfamiliar territory and present complex international relations issues. In this instance INTERPOL acts as a single point of contact in multi-country or trans-national investigations, providing a range of essential police investigative assistance and support services. This includes access to police and law enforcement services worldwide, to an established environmental law enforcement network, and to an international networking forum which facilitates global intelligence exchange and support. The types of investigations which constitute and justify international engagement naturally vary and are a matter for each law enforcement agency and officer to decide on the evidence and intelligence they have and whether their case may have an international dimension. But when there is trans-national engagement, INTERPOL will always encourage agencies to pursue their investigation even if it crosses jurisdictions and borders as this is the nature of the crime itself. Some of the most critical aspects of a successful international investigation are ensuring secure communication services to exchange data quickly and access to operational data services and databases that contain critical information on criminals and criminality.

Provision of these services and maintaining links at local, national, regional, and international levels is one of the most important tactics in combating environmental crime and represents one of the INTERPOL Environmental Crime Programme’s key activities against environmental crime - a crime which affects us all.

* David Higgins is Manager of INTERPOL’s Environmental Crime Programme.
The legal framework governing environmental matters in international law is defined by over 270 Multilateral Environmental Agreements (MEAs) and related instruments. In the past, such agreements were mostly on a bilateral basis and were rather limited in number and scope, a trend that was subsequently inverted with the creation of the United Nations. The true paradigmatic shift happened in 1972, when the Conference on the Human Environment issued its final declaration, which stated what are now considered the emerging principles and concepts ruling this field of jus gentium. Thereafter, international environmental law received a major boost, leading to a dramatic rise in both the number of treaties and in their scope. Concurrently, this expansion in the normative side also increased the number of outlawed actions, and thus environmental crimes, at both national and international level. Nowadays, international law envisages a heterogeneous list of environmental crimes. For instance:

» Illegal, unregulated and unreported (IUU) fishing;
» Illegal trade in wildlife;
» Illegal logging and trafficking in forest products;
» Bio-piracy;
» Illegal trade in ozone depleting substances (ODS);
» Illegal trade in persistent organic pollutants (POPs);
» Illegal transboundary movement and dumping of hazardous and electronic waste;
» Transboundary air and water pollution.

**Definition**

“...transnational environmental crime involves the trading and smuggling of plants, animals, resources and pollutants in violation of prohibition or regulation regimes established by multilateral environmental agreements and/or in contravention of domestic law.”

Of all these crimes, pollution is the crime that can produce the most dramatic effects, as illustrated by the Probo Koala case (see box).
On the night of August 19th, 2006, MT Probo Koala – chartered by the oil trading company Trafibura BV - discharged 500 m³ of hazardous slops in Abidjan port (Côte d’Ivoire). The slops, a hazardous mixture of sodium hydroxide (NaOH), cocker naphtha, and sulfur compounds, were dumped by the firm in charge of the disposal, the newborn Tommy Ltd, in 18 dumping locations around the city.

On August 20th the city fell into chaos and turmoil: over a hundred thousand people sought medical attention lamenting skin, eye and ear burns, headaches, and problems affecting the respiratory tract and the digestive system. The incident resulted in the death of 17 people; residents near the dumping sites fled their homes; protesters blocked the streets forcing the Government to resign.

Trafigura always denied any wrongdoing, but after being sued in both Abidjan and London, it reached extra-court compensations and concurred to the clean up costs.

Transboundary waste trade and dumping has been a common practice since the 1970s, but such traffics reached an unprecedented scale in the following decades. This trend was incidental due to the stricter regulations that had been passed in developed nations.

The public opinion’s attention rose at the end of the 1980’s, leading to the redaction of the Basel Convention. Nonetheless, illegal waste shipments still continue in present days. Although most pollution crimes are local, illegal waste shipments tend to be transnational in nature, starting in hazardous waste producing countries and flowing to developing nations. The traditional waste routes used to privilege African and Latin American states, taking advantage of and drawing profits from corrupt authoritarian regimes, failed states and, generally, from the absence of rule of law.

However, waste trafficking has evolved: new techniques have been refined and new routes have opened. Shipments are now sent to their final destination via intermediary ports, sometimes real hazardous wastes hubs, like Dubai, Singapore and Hong Kong. Hazardous wastes are relabeled several times, sometimes after a purely cosmetic treatment, or they are mixed and misla-

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**Environmental Agreements (MEAs)**

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<th>Agreement</th>
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<tr>
<td>Convention for Prevention of Maritime Pollution by Dumping Wastes and Other Matters</td>
<td>1972 (1975)</td>
<td>90</td>
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<td>1997 (2005)</td>
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The objective of this Convention is to protect endangered species from over-exploitation by means of a system of trade permits. The scope of the agreement includes all animals and plants, dead or alive, and any recognizable part or derivative thereof. Annex I catalogues all the species threatened by extinction and whose trade is strictly regulated; Annex II lists those species which are not threatened, but which may be endangered by unrestricted trade; Annex III comprises all the other species which any Party identifies as being subject to regulation within its jurisdiction and which need the cooperation of the other Parties to control their trade. As of today, the Convention protects about 30,000 species to various extents.
beled as scrap materials. All these precautions are intended to prevent traceability and to contrast the pressure from law enforcement agencies. Thus, in spite of the increasing focus on it, the phenomenon goes mostly unseen and untraced and it is therefore difficult to assess.

Environmental crimes perpetrators fall within various categories. The most prominent actors are traditional criminal organizations, also named “Ecomafias” when operating in this field. They benefit from the closed hierarchical structure and the logistic capacity associated with other traffics. Despite their major involvement in specific cases (such as the Italian waste crisis), these criminal organizations are in fact ancillary to the legitimate business sector.

Professionals, usually with no criminal records, often create ad hoc networks with the very aim of breaching environmental laws for economic gain or to achieve an edge over legitimate business competitors. These ad hoc criminal groups usually involve personnel from the different stages of waste management, making investigations and contrast activities more difficult.

Single individuals also have a relevant role in hazardous waste trafficking, especially electronic waste. Indeed, there is a plethora of intermediaries operating between the legitimate waste collectors and the final disposal. Freelance brokers and traders, as well and the so-called “waste tourists” (people who travel to developed nations to buy local waste and organize its shipment) are all parts in the organization of waste flows to developing countries.

As reported by the European Environment Agency, driving motives for waste trade can be economic, technical and legal factors. These range from differences in treatment and disposal prices to high demands for raw materials in emerging countries and heterogeneous legislation. Nevertheless, these factors apply to legal waste trade. The main drivers for pollution crimes are, on the contrary, immediate profits and the low risks associated to such criminal activities.

UNICRI, the United Nations Interregional Crime and Justice Research Institute, is not new in addressing such problematic issues. Since 1991, the Institute has been taking an active interest in researching and analyzing crimes against the environment, starting with the publication “Environmental crime, sanctioning strategies and sustainable development” (1993), followed by the study on the application of criminal law linked to the international environmental conventions. In 1995 UNICRI started to investigate the transnational nature of environmental crimes, and in 1997 it jointly organized an International Conference on the same issues with Legambiente and the Nucleo Operativo Ecologico dei Carabinieri (the Carabinieri’s Environmental Care Command).

In 2000 UNICRI published a research called “Criminal organizations and crimes against the environment,” which is still one of the most quoted researches on the issue worldwide. Finally, UNICRI issued in 2009 a publication entitled “Eco-crime and Justice,” which specifically covers the judicial issues. UNICRI’s work is of crucial importance to fight illegal waste trade and environmental crime, providing an international platform where various issues can be addressed, among which:

- the cooperation and consultation on all aspects related to the tropical timber economy;
- research and development on forest management, wood utilization, indicators and statistics;
- the promotion and support of reforestation and sustainable forest management programs.

The agreement was renegotiated in 1994 and again in 2006. The latest revision (albeit not yet in force) introduces, among other innovations, the issues of forest law enforcement, illegal logging and trade, and the inclusion of indigenous and other local communities within the forest management strategies.

### 4. Vienna Convention for the Protection of the Ozone Layer

This framework Convention aims to protect human health and the environment against the adverse effects resulting from modifications of the ozone layer. It contains no specific requirements apart from a generic obligation to protect the ozone layer by establishing an international framework for cooperation amongst the Parties in the areas of research and information sharing.

### 5. Montreal Protocol on Substances that Deplete the Ozone Layer

The Protocol supplements the Vienna Convention for the Protection of the Ozone Layer, and sets specific and binding requirements on ozone depleting substances (ODS): it lists ODS types, it establishes targets for ODS reduction and phasing out, and it regulates the international trade of ODS between parties. ODS trade with non-parties is banned. Finally, the Protocol contains specific provisions addressing emerging economies by establishing a ten-year delay for such countries and a multilateral fund to promote technical cooperation and information sharing.


The Convention defines hazardous waste by its composition (Annexes I and VIII) and by its hazardous
countries, and they represent about 90% of the 60 members include both producer and consumer International Tropical Timber Organization (ITTO). Its tropical forest resources through the creation of the 3. International Tropical Timber Agreement (1994) composition (Annexes I and VIII) and by its hazardous The Convention defines hazardous waste by its related to the tropical timber economy; and their Disposal 7. United Nations Framework Convention on Climate Change (UNFCCC) The Convention sets a general framework for the contrast of climate change. The agreement encodes the principles of common but differentiated responsibilities, intergenerational equity, precaution and the right for a sustainable development. The Convention does not provide clear obligations, and all greenhouse gas reduction is voluntary. Governments are nonetheless required to take some action, like information gathering and sharing, or launching national strategies for emission reduction and adaptation, including the provision of financial and technological support to developing countries.

8. Kyoto Protocol

Adopted in 1997 by the UNFCCC’s Conference of Parties (COP), the Kyoto Protocol entered into force in 2005. Unlike the UNFCCC, the Protocol sets quantified greenhouse emission cuts, listed in Annex B, for the selected greenhouse gases listed in Annex A between 2008 and 2012. The Protocol embodies the principle of “common but differentiated responsibilities,” as developing countries have no binding emission target. Moreover, the Protocol established a new set of tools to curb emissions, called “flexible mechanisms”: the Joint Implementation (JI), the Clean Development Mechanisms (CDM) and Emission Trading (ET).

cial and criminological aspects of environmental crimes. As the phenomenon of illegal dumping is steadily growing and its detrimental effects are increasingly affecting significant segments of the world population, UNICRI perceives the issue of environmental crimes and its links with other forms of crime as a clear and present danger for development and global stability. Furthermore, despite the creation of various entities dedicated to the monitoring of hazardous wastes production and shipments, such as the Basel Convention Secretariat, and the environmental organizations monitoring, there is no permanent observatory on waste trafficking at global level. For this reason at the end of 2009, UNICRI launched a new monitoring programme on illegal waste shipments. It must be added that information in this area is often insufficient and, when it does exist, it is scattered and fragmented between the various actors involved in monitoring and enforcing environmental regulations. Moreover, illegal waste trade is a dynamic reality swiftly adapting to enforcement actions and contrast strategies. Thus, an ad hoc study of the phenomenon would not suffice as it would become obsolete in a short time span. The main project’s driver is indeed the need for a clear understanding, not only of the mechanisms involved in pollution crimes but also of the routes and the dimensions of such waste flows. This is not an easy task, and that is the ground from which the mapping concept rose. By recording illicit transboundary waste shipments reports on a global scale and representing it on an interactive visual media will give an immediate grasp of the undisclosed traffics. By adding dates and perpetrators (or any other relevant information) to the entries, more details will appear in the general picture, which with some functional filters can be easily singled out. Mapping illegal waste shipments will therefore create a useful tool for determining past and future trends, trade routes and waste flows; most crucially, once entries reach the threshold, it will be possible to develop waste trafficking risk indicators. Overall, the mapping of illicit waste transfers and dumping would create a new set of tools in the hands of law enforcement agencies and policy-makers. Nonetheless, as previously noted, if the project was a self-referential, limited in time activity, then its whole relevance would cease after a couple of years. This is the reason UNICRI, to further promote cooperation among different agencies and other relevant institutions, aims to create a permanent observatory on illegal transboundary waste movements. The observatory would then be responsible to keep the database up to date and disseminate relevant information such as best practices and early warnings. Finally, it would become the ideal places to share lessons learned and common training, and to promote cooperation among different national institutions at an international level.

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In the common understanding, corruption is often referred to either as bribery practice or as major embezzlement/plundering of public monies. The former type of bribery is usually called administrative or petty corruption, and the latter is grand corruption (which also includes bribes paid at higher level within public tender, for example). There is also a third form of corruption, less known but still very pervasive, found often but not exclusively in transition countries: state capture. State capture occurs when the ruling elite and/or powerful businessmen manipulate policy formation and influence the emerging rules of the game (including laws and economic regulations) to their own advantage. The captured economy is trapped in a vicious circle in which the policy and institutional reforms necessary to improve governance are undermined by collusion between powerful firms and state officials who extract substantial private gains from the absence of clear rule of law. State capture can be further refined by distinguishing between types of institutions subject to capture (Legislative, Executive, Judiciary, regulatory agencies, public works ministries) and the types of actors actively seeking to capture (large private firms, political leaders, high ranking officials, interest groups).

For instance, captor firms can receive extra advantages not only in the form of sales increases, but also in the provision of public goods, such as property rights, by purchasing individualized protection of their property rights from the state. This however comes at a significant social cost: if politicians and bureaucrats can minimize their political risks by selling privately such public goods to a few individual firms in exchange of economic revenues, they have little incentive to provide the public at large with open access to these goods. Therefore the level of insecurity of property rights is much higher for the average firm and the ordinary citizen.

Why is state capture more present in transition countries than elsewhere? There are several factors at stake here. One of them is that most of those countries have undertaken partial economic reforms, which have produced market distor-
tions and have hence generated a pattern of concentrated gains and dispersed losses in the short term. A small group of people is able to extract considerable rents from those distortions. Such distortions include, for instance, state-owned enterprises sold at low prices to politicians, or new laws designed in a way of favouring specific economic actors in a given sector at the expense of free and fair competition for all. Concentration of both economic and political power is also likely to lead to serious state capture, which usually goes hand in hand with a weak civil society.

Transparent governance reforms are therefore highly needed to better share the power in the society, both horizontally and vertically, and to put in place very clear conflict of interests rules. State institutions should have safeguards to prevent them from being “owned” by specific individuals enjoying a high discretionary power. On the other hand, a vocal civil society, provided that basic civil liberties are ensured, would point at governance deficiencies, call for better accountability and responsiveness from the side of the government.

In such difficult contexts, the feasibility of any type of governance reforms should be assessed against the background of power relations and rent-seeking behaviour of the various stakeholders involved. Any reform to improve the institutional, economic or political framework, which might undermine stakeholders’ highly concentrated advantages, is likely to be strongly opposed by them. They also have the political influence to succeed in doing so. Therefore, the feasibility of reforms is ensured only if relevant answers are given to the following questions derived from political economy analysis:

what are the incentives of captured officials to accept changes related to reforms, and how could they be willing to lose private benefits for the sake of social good?

New incentives ought to be found in order to possibly instil a behaviour change in those actors. As far as politicians are concerned, the fear of social instability, which usually follows a period of bad governance or the risk of losing the next election, could potentially have an influence on mitigating vested interests within state institutions. Criminal lawsuits are another strong negative incentive working in the sense of better governance. But since the justice sector is often captured as well, this comes unfortunately as a last resort. International pressure or reward (such as joining the European Union) can be a very powerful tool, as demonstrated in the case of the new EU member states, which have undertaken major and rapid endeavours in the realm of governance in order to reach the goal of entering the EU.

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Landmines have been used as weapons of war since 1277, when the Song Dynasty Chinese used them against Mongols who were besieging a city. Concerted efforts to put an end to their use are underway, galvanized by humanitarians such as Jody Williams and Rae McGrath, who won a Nobel Peace Prize in 1997 for founding The International Campaign to Ban Landmines. Despite these efforts, landmines continue to be placed, adding onto the many remaining from the millions that have been planted since 1900. They cause great harm by denying civilians access to their homes and land, as well as by causing bodily harm, death, and psychological duress. According to a recent report, people in more than 70 countries are adversely affected by mined areas, and nearly 500,000 people live with injuries inflicted by mines. Many victims are both severely handicapped and unable to afford the rehabilitation and the other services that they need.

Demining hazardous areas is hugely important and is currently accomplished through the use of mechanical devices, such as hand-held metal detectors, and with the help of animals, such as specially trained dogs. APOPO has recently begun using giant African pouched rats (*Cricetomys gambianus*) as mine detectors. The rats are nocturnal burrowing natives of sub-Saharan Africa. They are pests in the wild and are sometimes hunted and eaten. They can live up to eight years; the adults reach body lengths of 25-45 cm and they weigh 1-2 kg, making them considerably lighter than dogs, and it is therefore substantially more unlikely for them to detonate the mines with their weight. APOPO’s rats are born and trained in Morogoro, Tanzania. Pups are handled regularly to socialize them; they are then trained to sniff the ground and to pause when they smell 2,4,6-trinitrotoluene (TNT), which is the main explosive charge in most mines. The training takes about 250 days (three times less than the time required to train mine detection dogs); it starts in a laboratory, where the rats learn in long metal cages to stop at holes above TNT. They then learn...
Landmines continue to be placed, adding onto the many remaining from the millions that have been planted since 1900.

to locate perforated balls containing TNT that are buried in sandy soil. The final stages of training occur on a large simulated minefield. All throughout the training and the detection process, the rats’ correct behaviour is reinforced through positive operant conditioning, with rewarding treats like smashed banana bits.

When working on the minefield, the rat wears a harness attached by a lead to a rope stretched between two handlers, who walk in parallel about 10 meters apart. The rat moves back and forth along the rope as the handlers move slowly forward. This technique allows the animal to sniff all of the ground between the handlers. Indicator responses, defined as pausing and scratching at the ground for 5 consecutive seconds, are recorded, along with the number of mines correctly located and the number of false alarms, which are indicator responses emitted more than one meter from a mine. Once a rat performs well in training, it is exposed to a test in which it must find all of the mines in a 100 square meter area with no more than two false alarms. APOPO is currently engaged in demining operations in Mozambique’s Gaza province, where many mines remain from the 16-year long civil war that ended in 1992. A team of 50 APOPO personnel and 34 rats, outfitted with a variety of equipment, do the work. Once the rats arrive at the demining site, their training continues on a simulated minefield. When a rat’s performance stabilizes, an accreditation test is performed with the help of the National Mine Action Authority. To pass, a rat must detect every mine in a 400 square meter field containing 5-7 mines with two or fewer false alarms. If it passes – and nearly all rats sent from Tanzania do so on their first try – it is licensed by the Mine Action Authority as an operational mine detection animal.

In field operations an armoured bush cutter first removes the vegetation. Humans wearing protective gear and equipped with metal detectors (manual deminers) then clear safe lanes which they conspicuously mark. In most operations, the rats are worked on a rope stretched between two trainers wearing protective equipment who move along the safe lanes as the rat searches along the rope, as previously described. Two different rats examine every area. Locations where an indicator response occurs are checked by manual deminers who then dispose of all mines and explosive remnants of war (e.g., grenades, mortar rounds). In 2009 APOPO’s demining team cleared nearly 310,000 square meters of land, finding 182 landmines and 248 explosive remnants of war, and allowing more than 1,000 families to return to their homes.

Although most people view rats as “bad animals” that carry diseases and destroy property, we call them “Hero-RATs” for the valuable humanitarian service they perform. The project in Mozambique shows that *Cricetomys* are useful mine detection animals with valuable characteristics. For instance, they are resistant to tropical diseases, easy to maintain, and too light to activate mines they step on. The demining rats’ success in Mozambique is heartening and plans are underway to use them in Angola, Colombia, and Thailand. In addition, researchers are using *Cricetomys* in remote explosive scent tracking (REST) applications. REST refers to a method for detecting areas containing landmines in which samples of air, dust, or soil are taken from suspected hazardous locations and presented to detectors located elsewhere. For example, samples from Angola could be analyzed by rats in APOPO’s lab in Tanzania. Quite often, areas suspected of containing landmines actually are free of explosives. An operational REST system would be invaluable for rapidly distinguishing between areas that do and do not pose real risks, allowing the former to be the focus of demining and the latter to be released for human use. REST could also be invaluable for detecting explosives, illegal drugs, and other contraband in cargo, in shipping containers, and in other contexts. Although REST poses significant challenges, it has enormous potential. So does the use of pouched rats for detecting tuberculosis, which currently is present in two billion people. Research indicates that *Cricetomys* can accurately identify the bacillus that causes tuberculosis by sniffing sputum samples and they are currently being used for second-line TB screening in Tanzania, where they increase case detection by more than 30%.

APOPO was founded by Bart Weetjens a decade ago as a tiny social enterprise. Early-on, most of the work was done by Bart, his colleague Christophe Cox, their wives, and one to three trainers. APOPO now employs 140 people (the vast majority are citizens of Tanzania or Mozambique), and it was recently given NGO status by the Belgian government. It is noteworthy that APOPO uses *Cricetomys* for beneficent purposes, treating them humanely, emphasizing sustainability, working in an impoverished area of Africa, and using local employees whenever possible. Put simply, APOPO does its best to make the world a better place, even if it does so one rat at a time.

* All authors are members of APOPO’s management team.

www.herorat.org

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10 YEARS

SINCE THE MINE-BAN TREATY...AND COUNTING;
THE UNITED NATIONS AND MINE ACTION.

Dan Van Ness is Executive Director of the Centre for Justice and Reconciliation, (www.restorativejusticeonline.org), a programme of Prison Fellowship International, PFI, (www.pfi.org), based in Virginia (USA). PFI is an association of national NGOS from 116 countries working in prisons and communities to reduce the damage caused by crime. Beginning in 2001, Mr. Van Ness assisted Prison Fellowship Rwanda in preparing genocide perpetrators to confront their victims, survivors and communities.

Can you give us some background on what precipitated the 1994 genocide in which so many Tutsis and Hutus were killed? Can you give us an overview?

Yes. Hutus and Tutsis are two of the many tribes in Africa. In Rwanda, Hutus make up just over 85% of the population and the Tutsis just over 10%. They lived together in relative peace until the colonial era. The Belgians, influenced by contemporary interest in phrenology (the shape of the head), concluded that the Tutsis were superior in intel-
Over a timeframe of 100 days, about 800,000 to 1,000,000 Tutsis and moderate Hutus were killed.

By 2001, roughly 110,000 people were locked up in Rwandan prisons charged with participating in the genocide. Prison Fellowship (PF) Rwanda had become actively involved in the genocide prisons almost from the moment they were established. In September 2001, PF International held a meeting in South Africa. The representatives of PF Rwanda told me that the government had decided that it could not try all the prisoners in a reasonable time using Western-style courts, so it had resurrected a pre-colonial justice mechanism called *gacaca*. It intended to use 11,000 of these entities to hear all but the most serious cases.

**Can you explain the meaning of *gacaca* justice?**

The word *gacaca* refers to the grassy space in front of an elder’s house. It was the place that members of the community would go when they had a complaint against someone else. The matter would be heard by everyone, and a solution decided upon. As with many indigenous justice processes, *gacaca* justice had a mixture of purposes, but one major one was restoration of victims and of community peace.

The government had arranged for elections in 11,000 communities in order to select “People of Integrity” who were trusted to hear cases in the *gacaca* proceedings. Prisoners would be brought to the hearing and people from the community could charge them with acts of genocide. The prisoners could either admit their role or defend themselves against the accusation.

The concern in the fall 2001, just before these tribunals were to start hearing cases, was that the men and women in the genocide prisons had expected to be tried in Western courts, where the best strategy is not to admit anything and insist that the government prove you guilty beyond a reasonable doubt. So for seven years virtually all of them had denied guilt.

The first problem is that *gacaca* processes work best if there is a confession and truth telling. The sentences available to the *gacaca* judges were quite limited, and consisted largely of time served and community service. Victims and survivors of the genocide recognized that the prisoners would have to be released into the community, but they were insistent that they accept responsibility for what they had done.

A second problem was that many Rwandans believed that “reconciliation” meant “forgive and forget.” That was not what the government meant, but it was a common assumption. As one survivor put it, “I know we will have to forgive them and let them return home. But it would be so much easier if they would admit what they did.”

I visited Rwanda in December 2001 and met with a number of people. In the course of those meetings we came to the conclusion that our contribution might be to teach the meaning of restorative justice and genuine reconciliation in the prisons, helping prisoners understand the value and importance of assuming responsibility for what they had done. We decided that a modified version of the Sycamore Tree Project® (STP) could be helpful in doing this. This turned into the Umuvumu Tree Project.

**Prisoners would be brought to the hearing and people from the community could charge them with acts of genocide.**

Having worked with you on the 1998 Texas restorative justice pilot of the Sycamore Tree Project, I know the great value of this in-prison victim offender programme. How is the Umuvumu Tree Project different from STP? How is it similar?

First of all, we changed the name of the programme because there are no sycamore trees in Rwanda. The umuvumu tree, a relative of the sycamore tree, does grow there, and it has played an important role in Rwandan culture. Its bark has a number of uses, one of which is to make cloth. Bark cloth is obtained by cutting out a strip or cylinder of bark, which causes the tree to produce a fine matted covering of red, slender roots over the wound. It is
this covering that is used to make bark cloth. The idea of making something valuable and useful out of wounds seemed appropriate.

STP brings a group of victims into prison to meet with a similarly-sized group of prisoners. They are not each others’ victims and offenders. They talk together over the next 6, 8 or 12 weeks (there are different versions) about a series of topics: understanding crime, taking responsibility, confession, repentance, forgiveness, making amends and reconciliation. In the course of these conversations the attitudes and understandings of both prisoners and victims change.

It wasn’t possible to do STP in Rwanda because of the sheer numbers of prisoners and the speed with which they needed to be exposed. I visited a prison with 7,000 prisoners. There was an outdoor seating area that could hold 800-1,000 men. Given the government’s timeframe, we needed to fill that area each session. We would never be able to find and prepare that many victims.

Thus, Umuvumu Tree Project used stories that illustrated the STP topics, conducted small group discussions among the prisoners, and brought victims into the prison for a full session to talk about how their lives had been affected. We added another session in which family members of the prisoners did the same.

In other words, Umuvumu Tree Project was much more of a prison-based victim empathy programme than STP, which was designed to benefit victims and offenders alike. However, it also allowed the prisoners to understand the importance of truth-telling, of taking responsibility, and of the steps that are needed to gain deep and true reconciliation.

What kind of impact did this have? We were amazed at the hunger there was in the prisons for this programme. PF Rwanda used trained facilitators to run the project around the country. In each prison hundreds of men participated in each session, and the result was that many said they wanted to assume responsibility for what they had done.

At the time the programme started, only 5,000 of the 110,000 genocide prisoners had confessed to their involvement. The others denied responsibility. Six months after Umuvumu Tree Project had begun, this number had grown to 32,000.

Do you see healing occurring in the victims? And in the offenders as well? How does the community respond?

“I know we will have to forgive them and let them return home. But it would be so much easier if they would admit what they did.”
The healing process is a long and involved one. I think that Umuvumu Tree Project has helped in that process in several ways. First, it has contributed to the offenders’ willingness to admit what they have done, to answer questions, and to apologize deeply.

Second, it has reminded people of the importance of forgiveness in this process. The forgiveness I speak of is not simply offered by victims of the genocide toward the perpetrators. The cycle of violence between members of both Hutus and Tutsis has gone back many years, and they are reinforced by accounts of atrocities in the past that may or may not have happened. It is why we helped the prisoners understand that forgiveness was important for them to consider, since most of them considered themselves victims in some ways.

Third, prisoners have wanted to do something tangible to demonstrate their desire to make amends. In a number of places they have done this by working at no cost to build homes for survivors. As he worked on one such house, one of the ex-prisoners said that he was glad to have this opportunity, and that it made it possible for him to think of himself merely as a Rwandan, not as a Hutu or as a participant in the genocide.

In each prison hundreds of men participated in each session, and the result was that many said they wanted to assume responsibility for what they had done.

What kind of obstacles did you encounter?

Resources to do the project were hard to come by, of course, so that was one obstacle. Another was the concern by members of the victim support community that this was offering special privileges to prisoners and failing to meet the needs of victims. Imagine being a woman who has just watched her husband and children be hacked to death by neighbours wielding machetes. Then imagine the victim being gang-raped by twenty men, beaten, and having a hand or an arm cut off. As you begin to recover, you want to die. But then you discover that your sister and her husband were also killed and now someone needs to raise their children. You now need to care and provide for them. Some time later you are diagnosed with AIDS, contracted as the result of the gang rape.

Now suppose that you hear accounts of the UN Tribunal in Tanzania that is trying many of the ringleaders. Those defendants are held in air-conditioned jails. They are fed and sheltered. They receive medical care and free legal assistance. One victim asked why she couldn’t trade places with those defendants.

This is why many victims and survivors resent anything being done for the perpetrators. Their injuries are profound; their needs are great.

Imagine being a woman who has just watched her husband and children be hacked to death by neighbours wielding machetes.

What is the current status of the project?

The original group of 20,000 prisoners has been released and processed through the gacaca tribunals. The government has just announced that it will be releasing another 39,000 prisoners. So the need for the programme in prison is still great, but the needs in the community are growing. In addition to the community work I mentioned before, PF Rwanda wants to create business co-operatives in villages that are jointly owned by Hutus and Tutsis. These co-operatives might own cattle, for example, or do other work. Funding is always a factor in deciding what can be done, of course.

Since we first conducted this interview, Prison Fellowship Rwanda has started an extraordinary project, which is to establish “practical reconciliation” villages. On the land given to the villages by the government, they organize genocide perpetrators and survivors, as well as people who have returned to Rwanda from exile to build together houses for the village. Those people then are given houses to live in. The residents run the village together, which means they need to learn to work together. PF Rwanda has also raised funds to purchase cattle, sheep and goats. Those are given to people in the village with the understanding that their offspring will be given to others who live there. The distribution is done as evenly as possible among the different groups in the village. This gives the residents a financial incentive to look after the “village” livestock.

The genius of this idea is that it requires ongoing contact and collaboration, which means that the reconciliation that may have come initially during gacaca or in local Umuvumu Tree programmes needs to be worked out practically on a day-by-day basis.

*Lisa Rea* is a public policy consultant specializing in restorative justice since 1992. She is the founder and former president of The Justice & Reconciliation Project (JRP), a nonprofit organization advocating for restorative justice to help bring accountability, healing and restoration to victims of crime, offenders and communities based in California (USA). Ms. Rea is the president of Rea Consulting which provides consulting services in victims-driven restorative justice and government relations. She serves on the board of directors of the Journey of Hope: from Violence to Healing.
12-19 April 2010

**Salvador, Brazil**

**Twelfth United Nations Congress on Crime Prevention and Criminal Justice**

The theme for the Twelfth Congress will be “Comprehensive strategies for global challenges: crime prevention and criminal justice systems and their development in a changing world”. Crime congresses have been held every five years since 1955 in different parts of the world and have contributed to shaping international and domestic policies and promoting novel thinking and approaches to complex issues at the heart of one of the key institutions of the modern state: the criminal justice system. The Twelfth Crime Congress will bring together the largest and most diverse gathering of policymakers and practitioners in the area of crime prevention and criminal justice, as well as parliamentarians, individual experts from academia and representatives of civil society and the media.


25-29 April 2010

**Liverpool, United Kingdom**

**Harm Reduction 2010: IHRA’s 21st International Conference**

These conferences have been held around the world for two decades and, for 2010, the meeting is returning to the city which hosted the first conference in 1990 - Liverpool, England. These events have been the key forum for the dissemination of harm reduction ideas and practice, and have helped to put harm reduction on the map. The conference will be the main meeting point for all those interested in harm reduction, and an invaluable platform for advocacy, debate, and discussion.

More Information: [www.ihra.net/Liverpool/Home](http://www.ihra.net/Liverpool/Home)

28-30 April 2010

**Montevideo, Uruguay**

**Ibero American Judicial Summit on Justice and Technology**

The primary objective of the Latin American Judicial Summit is “the adoption of projects and actions based on the conviction that the existence of a common cultural heritage is a privileged instrument which, while respecting differences, contributes to the strengthening of the Judiciary and by extension, the democratic system.”

03-07 May 2010

Linköping, Sweden

Violations of Human Rights and Humanitarian Law: Investigation and Prevention of Torture and Death in Custody

Organized by the European Science Foundation and by the Linköping University, the Conference is to bring together scientific leaders from human rights law, criminology, sociology, ethics and legal medicine with CPT experts, ECHR judges and ONG members and to attract more young researchers in order to further research in this important domain. The conference will help to build highly efficient research groups throughout Europe and to facilitate research contacts with international researchers outside Europe, while at the same time increasing international awareness about unique human rights protections in Europe.


03-28 May 2010

UN Headquarters, New York

2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT)

The NPT is a landmark international treaty whose objective is to prevent the spread of nuclear weapons and weapons technology, to promote cooperation in the peaceful uses of nuclear energy and to further the goal of achieving nuclear disarmament and general and complete disarmament. The NPT represents the only binding commitment in a multilateral treaty to the goal of disarmament by the nuclear-weapon States. The 2010 Review Conference is expected to consider a number of key issues, including: universality of the Treaty; nuclear disarmament, including specific practical measures; nuclear non-proliferation, including the promoting and strengthening of safeguards; measures to advance the peaceful use of nuclear energy, safety and security; regional disarmament and non-proliferation; implementation of the 1995 resolution on the Middle East; measures to address withdrawal from the Treaty; measures to further strengthen the review process; and ways to promote engagement with civil society in strengthening NPT norms and in promoting disarmament education.


14-16 July 2010

Johannesburg, South Africa

International Conference on Africa and the Future of International Criminal Justice

Organized by the Wits Programme in Law, Justice and Development in Africa (School of Law) in association with the Africa Interest Group of the American Society of International Law (ASIL), the conference is convened to interrogate what international criminal justice portends for Africa and vice versa. How has Africa’s experience with international criminal justice mechanisms affected the behaviour of African states? Does Africa object to international criminal justice, having vociferously supported the birth of the ICC? If so, does Africa have any alternative mechanism for satisfactorily dealing with the justice of gross violations of international humanitarian law and the perpetration of violent conflicts in the region that gives rise to the clamour for justice? To what extent can Africa implement the complementarity requirement of the Rome Statute as a commitment to ensuring justice for egregious crimes committed in the continent and for which a large number of its component states have accepted obligations?

More information: http://web.wits.ac.za/Academic/CLM/Law/WitsPLJDA/Conference
Challenging Ideas

Ecosystem Ecology: A New Synthesis
David G. Raffaelli, Christopher L. J. Frid (Editors) - Cambridge University Press (2010)

The authors recognise that ecosystems are rich in linkages between biophysical and social elements that generate powerful intrinsic dynamics. Unlike traditional reductionist approaches, the holistic perspective adopted here is able to explain the increasing range of scientific studies that have highlighted unexpected consequences of human activity, such as the lack of recovery of cod populations on the Grand Banks despite nearly two decades of fishery closures, or the degradation of Australia’s fertile land through salt intrusion. Written primarily for researchers and graduate students in ecology and environmental management, it provides an accessible discussion of some of the most important aspects of ecosystem ecology and the potential relationships between them.

- Amazon editorial review

Waste Not Want Not: The Production and Dumping of Toxic Waste
Robert Allen - Earthscan Ltd (October 1, 2009)

No-one wants toxic waste dumped in their back yard. Dioxins and furans from incinerators, dangerous chemicals leaching from landfill sites and the apparently random dumping of nuclear waste are all clear threats to our health and lives. In fact any waste not properly dealt with can become dangerous - yet industry and state seem to collude recklessly in its production. Robert Allen describes the waste produced in Britain and Ireland and the woefully inadequate means of dealing with it.

- Amazon editorial review

A Environmental Crime: A Reader

This book provides a general introduction and overview of this issue by presenting key articles and source material in the emerging area of green or environmental criminology. The book includes articles and extracts that challenge existing conceptualisations of environmental crime and human rights, as well as those that provide insight into what the ‘greening’ of research and scholarship means for criminology as a field.

- Amazon editorial review

Politics of Climate Change
Anthony Giddens - Polity (May 4, 2009)

A very useful introduction to the issues that crucially shifts the focus away from targets and environmentalist frames towards the substance of economic and energy security interests, technology, state intervention and the limitations of the formal international climate negotiations.

- Public Policy Research. editorial review
Schmidt, a climate scientist at NASA, and photographer Wolfe seek to advance public education about human-induced climate change in a combination of arresting images and lucid explanations of the science of global warming and the pursuit of global cooperation in adopting new, sustainable ways of living. From discussions of increasing drought, forest fires, and extreme storms to the deadly build-up of industrial and agriculture chemicals, the coverage is clear and bracing.

- Donna Seaman, from Amazon editorial review

“The greatest threat to the remaining wildlife in African rainforests is the illegal bushmeat trade - the murder of wild animals not to feed starving people but to feed the urban elite. Animal Investigators tells an amazing story about concerned scientists and forensic teams working to solve the murder mysteries that all too often are overlooked: the poaching and smuggling of endangered species.”

- Dr. Jane Goodall, DBE, Founder - the Jane Goodall Institute & UN Messenger of Peace - from Amazon editorial review

The publication aims build a bridge between, on the one hand, eco-crimes, pollution, climate change and the deriving social conflicts, and, on the other, the areas of criminal justice, human rights and environmental rights. This book seeks to contribute to the articulation of a global research agenda on environmental crime based on commitment to three principles: recognition of the value of evidence-based policy-making (over policies based on expediency, political pressures, or purely economic considerations); willingness to appreciate the importance of theoretical insights drawn from different disciplines to guide policy, and concern with balancing human and ecological rights.

- F3 editorial review

Environmental justice is a significant and dynamic contemporary development in environmental law. Rechtschaffen, Gauna and new coauthor O’Neill provide an accessible compilation of interdisciplinary materials for studying environmental justice, interspersed with extensive notes, questions, and a teacher’s manual with practice exercises designed to facilitate classroom discussion. It integrates excerpts from empirical studies, cases, agency decisions, informal agency guidance, law reviews, and other academic literature, as well as community-generated documents.

- Amazon editorial review
Environmental Policy: New Directions for the Twenty-first Century
Norman J. Vig, Michael E. Kraft - CQ Press (7th edition, 2009)

This new edition represents the most extensive revision to date: five new chapters include coverage of national security and the environment, China’s environmental problems, domestic and international actions on climate change, conflicts over U.S. natural resource policies and collaborative ecosystem management, and the role of economics and market incentives in environmental policy. Incorporating analysis of the eight years under George W. Bush and a look ahead to the Barack Obama administration, all chapters include new scholarship, case studies, poll data, court rulings, congressional actions, agency decisions, and other events at the international, national, state, and local levels.

- Amazon editorial review

Crimes Against Nature: Environmental Criminology and Ecological Justice

This environmental criminology and ecological justice text provides a systematic account and analysis of the key concerns of green criminology, written by one of the leading authorities in the field. The book draws upon the disciplines of environmental studies, environmental sociology and environmental management as well as criminology and socio-legal studies, and uses a wide range of examples of crimes against the environment - ranging from toxic waste, logging, wildlife smuggling, bio-piracy, the use and transport of ozone depleting substances through to illegal logging and fishing, water pollution and animal abuse. “Crimes against Nature” sets out theoretical approaches and perspectives on the subject, it explores the (national and international) dimensions of environmental crime and the explanations for it, and the range of responses to environmental crime (law enforcement, regulation, prevention and the role of global institutions and movements).

- Amazon editorial review

Greening Aid?: Understanding the Environmental Impact of Development Assistance

How much progress has there been in improving environmental protection and clean-up in the developing world? What explains the patterns of environmental aid spending and distribution? And what are the consequences for the estimated 4 million people that die each year from air pollution, unsafe drinking water, and lack of sanitation? By evaluating the likely environment impact of over 400,000 development projects by more than 50 donors to over 170 recipient nations between 1970 and 2001, Greening Aid represents a unique, state of the art picture of what is happening in foreign assistance and its impact on the environment. Greening Aid explains major trends and shifts over the last three decades, ranks donors according to their performance, and offers case studies which compare and contrast donors and types of environmental aid.

- Amazon editorial review
Humanitarian news
and analysis
Nouvelles et analyses humanitaires

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