

WHO COMMITS ECO-CRIMES?

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.

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(1) www.msnbc.msn.com/id/8084491/

(2) Eamonn Carrabine, Paul Iganski, Maggy Lee, Ken Plummer, Nigel South, "Criminology: A Sociological Introduction" (2009); New York, Routledge.

(3) Mohamed Abshir Waldo, "The Two Piracies in Somalia: Why the World Ignores the Other?" 8 January 2009, http://wardheernews.com/Articles_09/Jan/Waldo/08_The_two_piracies_in_Somalia.html