

Current Criminal Law

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Volume 2 Issue 3 March 2010

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- Chief Editor: Sally Ramage, Member of the Chartered Institute of Journalists; Society of Editors and Society of Legal Scholars, UK.
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International criminalisation of harmful environmental practices: a review

Sally Ramage

International environmental crime can be defined across five broad areas of offences which have been recognised by bodies such as the G8, Interpol, EU, UN Environment programme and the UN Interregional Crime and Justice Research Institute. These are illegal trade in wildlife¹; illegal trade in ozone-depleting substances;² dumping and illegal transport of various kinds of hazardous waste³ and their disposal; illegal, unregulated and unreported (IUU) fishing;⁴ illegal logging and trade in timber when timber is harvested, transported, bought or sold in violation of national laws. Biodiversity is a term used to describe the variety of life on Earth. The conservation of the complex system of habitats and species is essential to maintain the ecological health of the planet. The world is losing biodiversity at an ever-increasing rate as a result of human activity. In the UK, over 100 species have disappeared during the last century, with many more in danger of disappearing, especially at the local level. On a world scale the rate of loss is now recognised to be a cause for serious concern, requiring concerted international action to prevent continued loss of biodiversity.⁵ Though the UK ratified the Convention on Biological Diversity in 1992, the UK has systematically failed to conserve and enhance its national ecology, paying much lip-service, whilst profits are seen to be the drivers of environmental crime. Slothfully, the UK produced a Biodiversity Action Plan (UKBAP) in 1994 and dragging its feet, has done nothing until 2002, when the UK government published the England Biodiversity Strategy in 2002. These actions can be seen as merely paper-pushing exercises. It must be noted that an examination of the history of English law reveals that, under intense pressure from activists groups, the EU has recently put into motion certain directives to correct its sloth in taking environmental protections through the past century; however, English law has always valued property over people.⁶

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¹In contravention to the 1973 Washington Convention on International Trade in Endangered Species of fauna and Flora.

²In contravention to the 1987 Montreal Protocol on Substances that Deplete the Ozone Layer.

³In contravention of the 1989 Basel Convention on the Control of Transboundary Movement of Hazardous Wastes and Other Wastes.

⁴In contravention to controls imposed by various regional fisheries management organisations.

⁵The Department of the Environment, in the United Kingdom, is responsible for housing construction, transport, planning and Local Government. The prevention of environmental pollution, with special responsibilities for clean air and anti-noise functions, for research into roads, buildings, hydraulics, fire prevention and the use of timber and for the government property building construction, maintenance and supplies.

⁶See Gudjonsson, G. H. and Adlam, K. R. C. (1983) 'Personality patters of British police officers', *Personality and individual differences*, Vol. 4, pp 507-512. See also, Lerner, M.J. (1970) 'The desire for justice and reactions to victims' in J. McCauley and Berkowitz (eds) *Altruism and helping behaviour*, Florida: Academic Press.