

EUROPEAN POLICY BRIEF



ENVIRONMENTAL CRIME IN ARMENIA: A CASE STUDY ON MINING

Policy Implications for the EU

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OVERVIEW OF CASE STUDY

Since its independence in 1991, the Republic of Armenia (RA) has steadily increased its political and economic ties to the European Union. For instance, in 2009 RA became a member of the EU's Eastern Partnership program. Moreover, several EU-based companies have stakes in the Armenian economy. Despite the EU's efforts to promote good governance in RA, economic resources and political power have become interwoven in often-illicit ways. Corruption is widespread at all levels of the state apparatus. Against this background, the case study looks at the causes of environmental crime in Armenia – taking the mining sector as an example – and measures that the EU could take to contribute to preventing such environmental crime in Armenia.

The way mining is conducted in RA has disastrous consequences for the country's environment and the well-being of its citizens. **Mining has led to widespread deforestation and the destruction of arable land. Heavily polluted tailings contaminate lakes, rivers and soil and smelters pollute the air. Mining thereby endangers the health and the subsistence of RA's citizens.** Since rivers often cross borders, mining-related pollution endangers the environment and citizens of neighbouring countries as well, namely Georgia and Azerbaijan. In a volatile region of mutually distrusting governments, cross-border pollution is not managed and could further aggravate hostilities between the nations of the South Caucasus.

The case study finds that despite the fact that RA is signatory to several international environmental treaties and conventions, environmental laws are weak, contradictory, and rarely enforced. There exists a double gap in the RA mining sector which fuels environmental crime in this area. There is a gap between national law and international commitments and a gap between national law and its enforcement and adjudication. The cause identified in the case study is an often illicit collusion of political power and economic interests that prevents the passing of more stringent environmental regulations and the allocation of sufficient administrative resources to those government agencies which are formally tasked with the protection of the environment. The authors of the case study argue that the often illegal activities that prevent the passing of stringent environmental legislation should already be considered environmental crime. In order to mitigate environmental crime in RA, the EU needs to address these dimensions.

The victims of a lax regulatory framework and environmental crime are often ordinary citizens, the economy at large and even the country's national security. Common problem areas linked to environmental crime include RA's vast mining sector, the logging industry and the hydroelectric sector. In recent years, environmental non-governmental organisations (NGOs) have emerged as the crucial defenders of RA's environment, monitoring environmental pollution and denouncing offenders. Under the current conditions, RA's civil society is the only credible champion of the environment, criticising the lack of environmental regulation and enforcement in the mining sector and occasionally organising protests.

The case study is based on qualitative empirical analysis, including desk research and a limited number of interviews in Armenia and/or with Armenian experts.

POLICY IMPLICATIONS AND RECOMMENDATIONS FOR THE EU

The EU and RA Partnership and Cooperation Agreement (PCA) went into force in 1999. In 2004, RA became a part of the European Neighbourhood Policy (ENP), finalizing its ENP Action Plan in 2006. The ENP is meant to strengthen relations between the RA and the EU through shared dedication to international law and fundamental values. The EU Advisory Group provides the RA government with policy advice on a range of issues to spur the implementation of the reform agenda and strengthen its international commitments. The EU's long-standing assistance programs in the area of environmental protection are likely to continue. The EU and RA have cooperated in this area for years. The two parties are signatories to several bi- and multilateral environmental agreements and treaties, most notably the Aarhus Convention. Moreover, the EU has provided funding for numerous environmental projects in RA. The total EU funding given to current projects and those that were active in the past twelve months amounts to more than 10 million Euros.

The case study concludes that while these are encouraging steps, the EU needs to step up its efforts to curtail environmental crime in the Armenian mining sector. It proposes that the EU can pressure RA to honour its environmental commitments as well as help it to develop legislation which will be in compliance with these international agreements. Reminding the RA government of its international obligations so that they are enforced in RA will also serve to strengthen the most important pro-environmental actors in RA, namely local movements and NGOs.

EU support for these actors in other ways, such as through technical support and funding, can also strengthen their ability to address environmental crimes in their own country. The EU can play a role in addressing the second gap as well. The EU could provide incentives to EU owned companies working in RA's mining sector to operate in environmentally responsible and transparent ways. The EU could further use its civilian and normative power to convince the RA to enforce national and international law as a term of doing business.

ABOUT EFFACE CASE STUDIES ON ENVIRONMENTAL CRIME

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"European Union Action to Fight Environmental Crime" (EFFACE) is a 40-month research project involving eleven European research institutions and think tanks. EFFACE assesses the impacts of environmental crime as well as effective and feasible policy options for combating it from an interdisciplinary perspective, with a focus on the EU. Project results include several case studies on the causes, actors and victims of different types of environmental crime as well as policy options and recommendations. For more information see <http://www.efface.eu> or contact: envcrime@ecologic.eu

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