

Strengthening Policies for Economic and Ecological Sustainability through the Enforcement of Environmental Crimes in Third World

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Abstract

This study is motivated to analyze by departing from evidence that the lack of monitoring and evaluation can increase violations and environmental crime. Specifically, this study seeks to analyze the strengthening of environmental policies by highlighting the drivers of environmental crime, and the public policies that need to be formed to reduce environmental crime. By describing from various previous literature, this study found that environmental crime has been transnational with actors from many countries involved. This not only shows the level and geographical extent of crime which is increasingly widespread, but also requires the existence of a legal interface in handling environmental crime. However, an increase in the adequacy and capability of resources in dealing with environmental crimes provided to environmental crime action agencies needs to be strengthened. This is in line with the consideration that limited resources and lack of political impetus result in ineffectiveness in the prevention and handling of environmental crime. Public policies regarding the environmental economy must also actively pressure companies to comply with various environmental regulations and green behavior.

Keywords

Environmental Crime, Third World, Public Policies, Economic and Ecological Sustainability.

Introduction

Increased economic capacity experienced by developing countries has an effect on ecological damage and carrying capacity of the environment. Several studies on the relationship between Gross Domestic Product (GDP) and environmental aspects in several developing countries show a positive relationship between economic growth and environmental damage. Liu et al. (2007) analyzed GDP growth in a special industrial zone in China with a longitudinal design and revealed that pollutants produced from industrial activities affected the Environmental Kuznets Curve. Using the same design, Hitam and

Borhan (2012) who analyzed the relationship between foreign direct investment and environmental degradation in Malaysia, proved the existence of an environmental Kuznets curve by highlighting that foreign direct investment is positively related to environmental degradation. By taking the objects of countries that are members of the BRIC (Brazil, Russian Federation, India, and China), Pao and Tsai (2011) stated that there is a causal relationship between energy consumption and emissions output. This revealed that growth based solely on indicators of increasing GDP had an impact on environmental quality decline. In addition, in developed countries, despite differences in effects, economic growth is positively related to pollution emissions (Magnani, 2000). By sampling 38 industrialized countries, Huang et al. (2008) states that targets under the Kyoto Protocol also cannot be fulfilled by developed countries within a specified time period. Selden and Song (1994) found that emissions per capita are related to GDP per capita.

Table 1 Costs of environmental degradation in selected developing countries

Countries	% of GDP	Countries	% of GDP
China	9	Pakistan	6
Nigeria	7.7	India	5.7
Iran	7.4	Egypt	4.8

Source: World Bank (2012)

Broadly speaking, each country's focus on increasing economic capacity and GDP growth as well as efforts to maintain environmental sustainability are not merely economic policies, or separate environmental policies. Broadly speaking, integral public policies are needed to seriously encourage efforts to improve the economy based on the environment in the factors of production and consumption. In developed countries, there is a strong push to encourage the use of environmentally friendly fossil energy, as well as strong public demands to reduce the effects of human activities on global warming. In developing countries, lack of environmental sensitivity in public policy making indicates that GDP-based economic growth is still prevalent. In addition, there is no strong enough demand from the public to limit the influence of factors of production on environmental degradation. This is connected with the efforts of developing countries to attract FDI without strictly checking foreign investment qualifications that prioritize ecological protection (Pao and Tsai, 2011). In a global context, Huang et al. (2008) also suggest a joint framework for the international community to reduce GHGs and emissions through international cooperation mechanisms. The importance of this effort is reinforced by a projection from Selden and Song (1994) that emission reductions can only be achieved in the long run, so global emissions are still growing rapidly in the coming decades.

In addition, public policies regarding the economy-environment must also actively pressure companies to comply with various environmental regulations and 'green their behavior' (World Bank, 2012). In addition, investors, customers, and stakeholders also need to pressure companies to behave transparently and provide access to information on environmental impacts. However, unlike the situation in developed countries, the low demands in developing countries are connected to the low environmental transparency and public sensitivity. This makes environmental violations by companies easily happen without effective monitoring of the bureaucracy and the public. World Bank (2012) has shown that evaluating performance on companies to report emissions and environmental performance data can improve compliance and reduce agrarian violations in China, Indonesia, the Philippines, and Vietnam. In this context, this study is motivated to analyze by departing from evidence that the lack of monitoring and evaluation can increase violations and environmental crime. Specifically, this study seeks to analyze the strengthening of environmental policies by highlighting the drivers of environmental crime, and the public policies that need to be formed to reduce environmental crime.

Regulation of Natural Resources for the Economy in Public Policy Perspectives

The future of the environment depends not only on its use, but also on compliance with conservation. Studies show that population growth, consumption, business improvement and technological development have had an impact on greater demand for natural resources (Solomon et al. 2015).

Bradshaw (2015) shows that ecological crime which is a white collar crime tends to not pay attention to the role of government, so that the structural conditions of problems arising from industries engaged in the environment tend to be ignored. Bergenas and Knight (2015) also revealed that there is a tendency for policy makers to abandon their responsibilities to the environment and protect resources. Indirectly, diversion is given to environmental organizations and NGOs to advocate for the interests and resolution of environmental conflicts. Bergenas and Knight (2015) further emphasized that increasing environmental crime and demands on transparency from various organizations have increased the need for different public policy approaches to protect the environment, energy and natural resources. Nonetheless, this policy in the public and private sectors requires a strategic partnership by showing the responsibility and accountability of both parties to regulate and manage the environment for sustainable development. Hall (2013) also states that there are widespread concerns regarding climate change and environmental degradation. This leads to demands for greater accountability of criminal individuals,

organizations and companies involved in activities that endanger the environment or violate environmental regulations.

Cozens (2008) states that environmental crime is contrary to the principle of sustainability because it can damage the goals of sustainable development. Here, efforts to prevent potential threats to sustainability, including environmental crime, are formed within the framework of public policy. Unfortunately, the problem of environmental crime has not been a specific subject on the agenda of sustainability and public policy. In fact, promotion of the prevention of environmental crime can be useful as an important means for developing environmental sustainability.

Environmental Crimes in Third World

Solomon et al. (2015) states that illegal human activities can have a very significant impact on the socio-ecological system. In this context, Solomon et al. (2015) recognize that in many cases, environmental crimes occur due to the absence of monitoring of non-compliance of the perpetrators. In some cases, environmental crime has implications for the emergence of conflict and tension between the perpetrators, the industry and the surrounding community. Madden and McQuinn (2014) explain that the emergence of environmental conflicts, and conflicts that are not handled properly, can make the promotion of conservation and environmental management more difficult. This also includes threats that may arise on various wildlife. Unfortunately, most ecological conflicts are often less visible and receive minor attention. In addition, environmental crime, especially in developing countries, is quite sensitive and usually involves large companies, so victims are usually silent. Moreover, in developing countries where corruption is still prevalent in a variety of public services, corruption can occur in the government bureaucracy that manages natural resources. This can inhibit, even have negative effects, on conservation efforts such as forest encroachment, illegal logging, illegal mining, and hunting in protected areas (Sundström, 2016). Sundström (2016) further explains that monitoring institutions are very important for the prevention of violations and environmental crimes. This includes the strengthening of officers and legal enforcement of violators.

Conceptually, Jarrell et al. (2013) links green crime to the regulation that results from human behavior that damages the environment. Lynch et al. (2018) argues that environmental criminology is related to environmental control practices that are not only limited to penalties for environmental violations and response rules, but also social control and public policy. In addition, previous studies also revealed that there is a

relationship between the level of violence and climate change (Bonds, 2016). Interestingly, this shows that anthropogenic aspects not only affect environmental change, but also vice versa, increasing environmental damage on a global scale, also contributes to crime. Agnew (2017) based on leading crime theories also states that climate change has a potential impact on social tensions, social control, social relations and increasing crime.

Stretesky et al. (2013) links the occurrence of environmental crimes with the need to provide effective legal frameworks, including judicial institutions, criminal justice practices, law enforcement, as a policy to respond to the effects of human and industrial activities that damage the environment. White and Heckenberg (2014) detail some aspects related to environmental crime. These include types of crime in the natural environment, threats to biodiversity, as well as pollution and toxic waste, climate change and social conflicts, environmental victims. Furthermore, environmental crime also covers areas that are directly subject to public policy and law, such as environmental regulation, law enforcement and justice, environmental forensic studies, and prevention of environmental crime. Lynch and Stretesky (2016) detail some aspects of green criminology related to environmental crime, ecological damage, provision of legal instruments and regulations, and aspects of victims, and justice. Within the scope of the private sector, environmental crime is also related to corporate social responsibility, and business ethics and company performance (Brisman & South, 2014).

Environmental crime has received considerable attention today, with increased legal enforcement from various institutions (Wellsmith, 2011). Regarding today's globalization, environmental crime has been transnational with actors from many countries involved. This not only shows the level and geographical extent of crime which is increasingly widespread, but also requires the existence of a legal interface in handling environmental crime. However, an increase in the adequacy and capability of resources in dealing with environmental crimes provided to environmental crime action agencies needs to be strengthened. This is in line with the consideration that limited resources and lack of political impetus result in ineffectiveness in the prevention and handling of environmental crimes.

Environmental crime does not only occur intrinsically, but also transnational in nature. This kind of crime requires a cross-border mechanism and framework. These problems such as the disposal of toxic waste and illegal transportation of radioactive or nuclear substances (White, 2017).

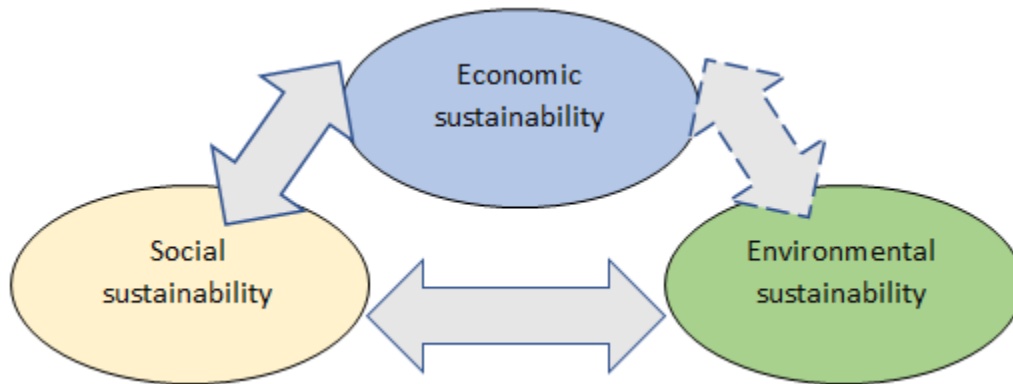


Figure 1 Three pillar of sustainable development

Source: World Bank, 2012

Figure 1 shows that the relationship between economic and social sustainability and the relationship between social and environmental sustainability is a compatible relationship. However, the relationship between economic and environmental sustainability requires serious efforts from various parties to become a complementary relationship and not sacrifice one of them (World Bank, 2012).

Conclusion

This study found that environmental crime has been transnational with actors from many countries involved. This not only shows the level and geographical extent of crime which is increasingly widespread, but also requires the existence of a legal interface in handling environmental crime. However, an increase in the adequacy and capability of resources in dealing with environmental crimes provided to environmental crime action agencies needs to be strengthened. This is in line with the consideration that limited resources and lack of political impetus result in ineffectiveness in the prevention and handling of environmental crime. Public policies regarding the environmental economy must also actively pressure companies to comply with various environmental regulations and green behavior.

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