

Prof. dr Vladan Joldžić
Dr Ana Batićević
Msc Vera Stanković
MA Nikola Paunović

Institut za kriminološka i sociološka istraživanja
Gračanička 18, 11000 Beograd
www.iksi.ac.rs



SUSTAINABLE DEVELOPMENT OF LOCAL COMMUNITIES: ECOLOGICALLY (IR)RESPONSIBLE APPROACH

1. SUSTAINABLE DEVELOPMENT

Goals and Definition



“

*The development that meets the needs
of the present without compromising the
ability of future generations to meet their
own needs.*

Brundtland Report, 1987.

EVOLUTION OF THE CONCEPT OF SUSTAINABLE DEVELOPMENT

- ▷ The fear of environmental crises
- ▷ Unsustainable use of natural resources
- ▷ Environmental pollution, degradation and biodiversity loss
- ▷ Issue of environmental protection within the concept of sustainable development
- ▷ **1972.** the first Conference of the UN on the Environment: UN Environmental Programme
- ▷ **1990.** the European Union
- ▷ **1992.** the Second Conference of the UN on the Environment

ENVIRONMENTAL PROTECTION: AN ASPECT OF SUSTAINABILITY

- ▷ Environmental protection represents an important **aspect of sustainability**
- ▷ Development in any area (agriculture, industry, tourism, food production ...) is sustainable if it is in accordance with the principles of **environmental protection**
- ▷ These principles are set by national and international **legal documents**
- ▷ No separated policies or partial measures !

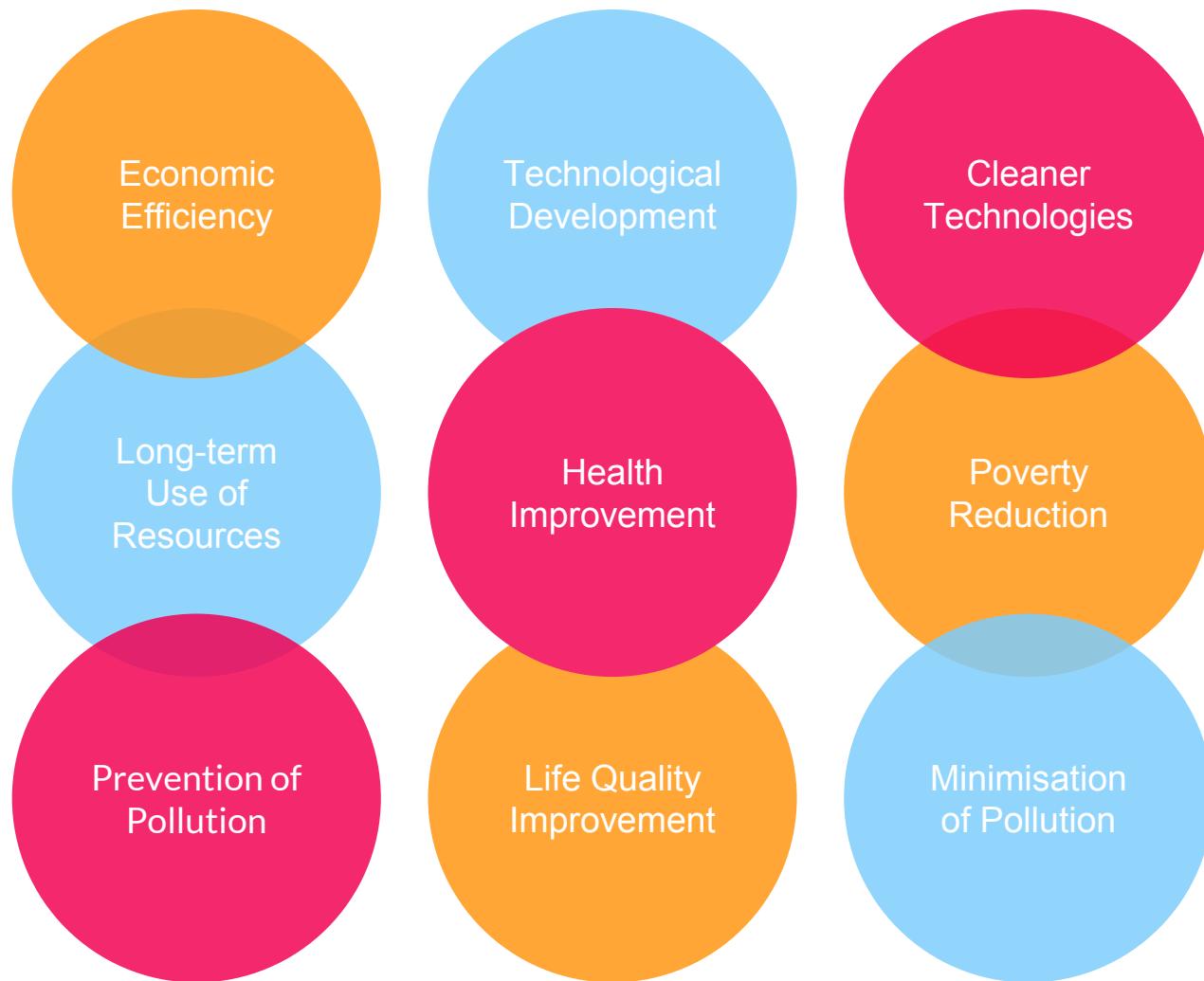


“

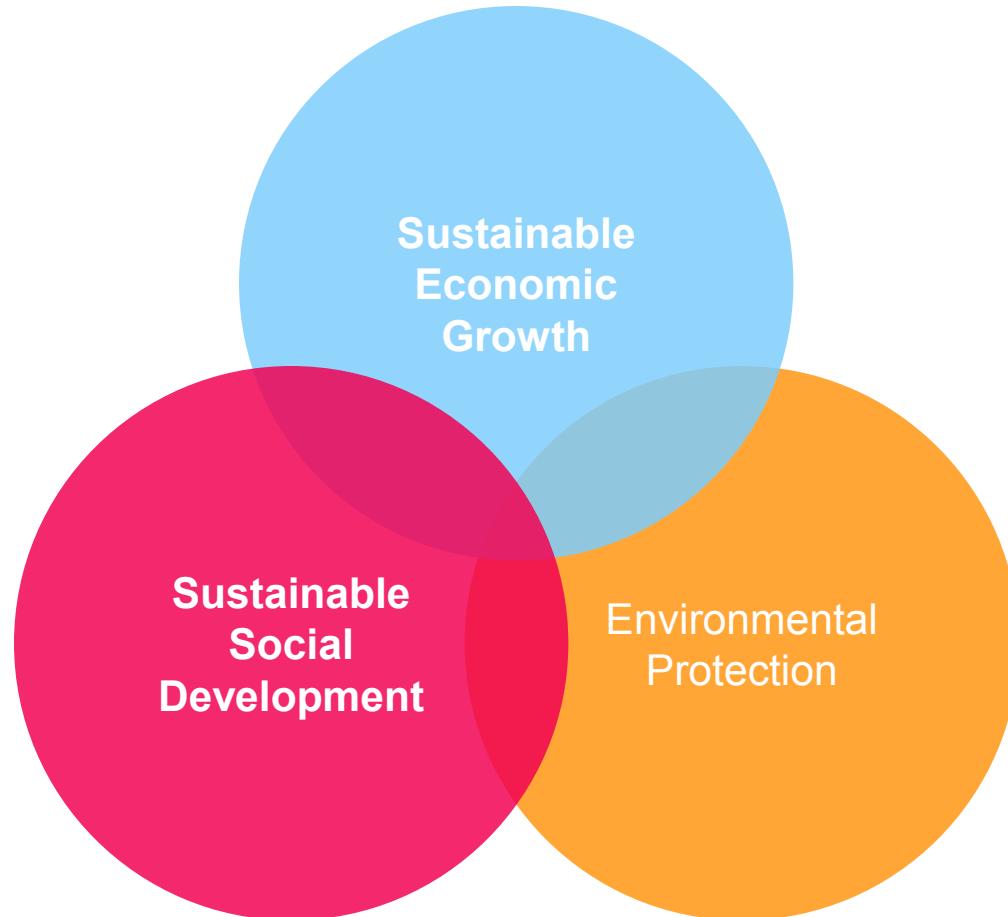
*Target-oriented, continuous,
comprehensive and synergetic process
with impacts on all aspects of life
(economic, social, environmental and
institutional) at all levels.*

*National Sustainable Development
Strategy of the Republic of Serbia*

NATIONAL SUSTAINABLE DEVELOPMENT STRATEGY OF THE REPUBLIC OF SERBIA



NATIONAL SUSTAINABLE DEVELOPMENT STRATEGY OF THE REPUBLIC OF SERBIA



2. TECHNOLOGICAL DEVELOPMENT

Negative Environmental Impacts on Local Communities

NEGATIVE ENVIRONMENTAL IMPACTS OF TECHNOLOGICAL DEVELOPMENT

- ▷ Excessive use of modern technologies aimed to increase production may produce negative impacts on the environment
- ▷ Air, water and soil pollution
- ▷ Natural habitats degradation
- ▷ Biodiversity loss





Waste waters spill

Causing pollution of water and soil



Oil spill

Affecting marine and coastal wildlife



Irregular waste disposal

Producing soil, water and air pollution





Irregular construction

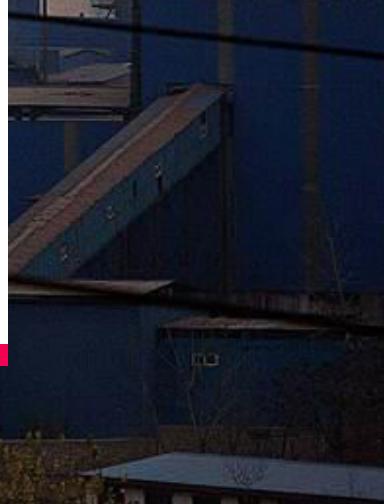
Degrading natural habitats





Dirty technologies

Used and transferred to poor countries





Natural resources exploitation

Excessive and unsustainable





Failing to apply measures

Lack of legal and other protection

NEGATIVE ENVIRONMENTAL IMPACTS OF TECHNOLOGICAL DEVELOPMENT

- ▷ Illegal and ecologically irresponsible behaviours
- ▷ Negligent or deliberate failure to act in accordance with laws and conventions
- ▷ Devastating consequences
- ▷ The destruction of entire ecosystems: “ecocide”
- ▷ Victims: the least developed communities
- ▷ „Environmental discrimination“
- ▷ „Environmental racism“

NEGATIVE ENVIRONMENTAL IMPACTS OF INDUSTRY IN SERBIA

- ▷ Report on general state of the environment in Serbia, Environmental Protection Agency (2015)
- ▷ Air, soil and water pollution by industrial activities
- ▷ Sulphur oxides, nitrogen oxides and coarse particles come from thermo-energetic facilities, production and processing of metals, food production and mineral industry
- ▷ Acidifying gases come from production and distribution of energy, road traffic and agriculture

NEGATIVE ENVIRONMENTAL IMPACTS OF INDUSTRY IN SERBIA

- ▷ Water pollution from **industrial facilities** and **sewage**
- ▷ The majority of potentially contaminated and contaminated soils are at **industrial localities**
- ▷ The greatest soil contaminators are: **oil industry**, **chemical industry** and **metal industry**
- ▷ Public **wastelands**, industrial wastelands and industrial or commercial localities are also large soil polluters

3.

PREVENTION OF NEGATIVE ENVIRONMENTAL IMPACTS

Legislative framework

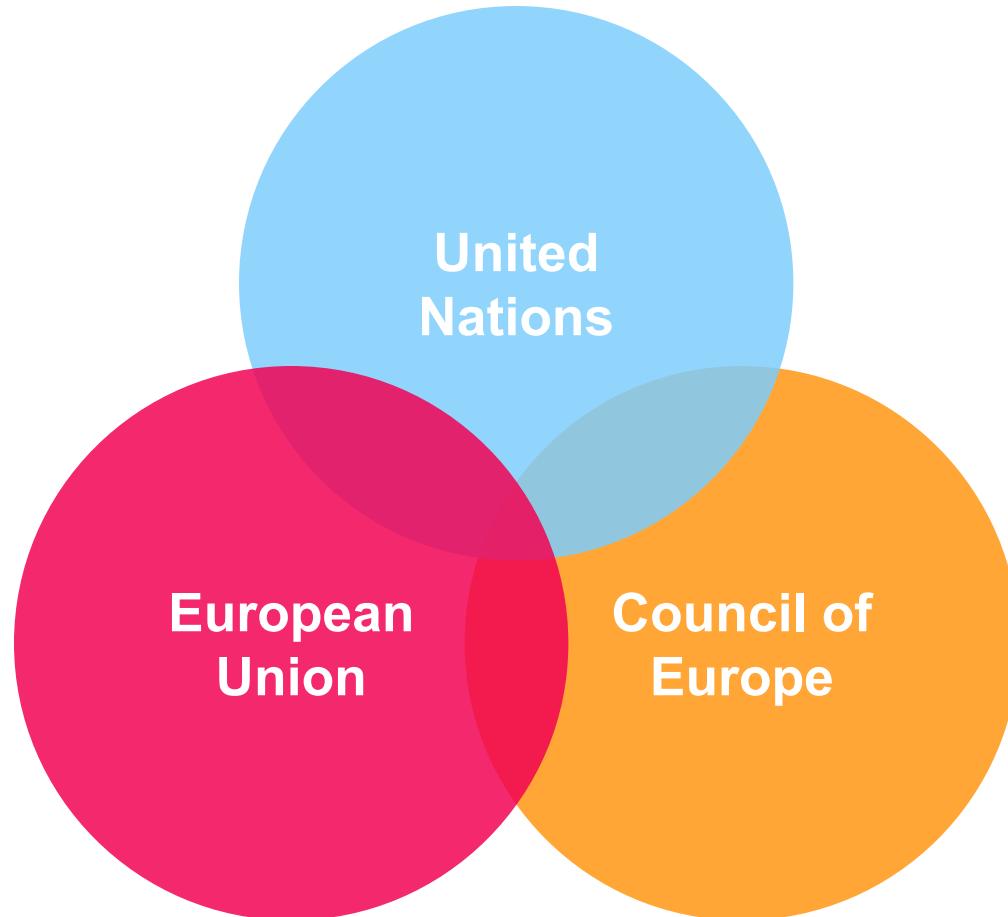
INTERNATIONAL AND NATIONAL ENVIRONMENTAL DOCUMENTS

- ▷ Appropriate reaction on global and national level
- ▷ Prevention, sanctioning and suppression of negative environmental impacts
- ▷ National and international legislation
- ▷ After ratification, international documents become parts of national legislation

4. INTERNATIONAL DOCUMENTS

United Nations, Council of Europe, European Union

INTERNATIONAL ENVIRONMENTAL DOCUMENTS



AGENDA 21 (UN CONFERENCE ON ENVIRONMENT AND DEVELOPMENT, 1992)

- ▷ Comprehensive plan of action to be taken **globally**, nationally and locally in every area in which human impacts on the environment
- ▷ Adopted together with the Rio Declaration on Environment and Development, and the Statement of principles for the Sustainable Management of Forests by more than **178** Governments at the United Nations Conference on Environment and Development in **Rio de Janeiro**

AGENDA 21 (UN CONFERENCE ON ENVIRONMENT AND DEVELOPMENT, 1992)

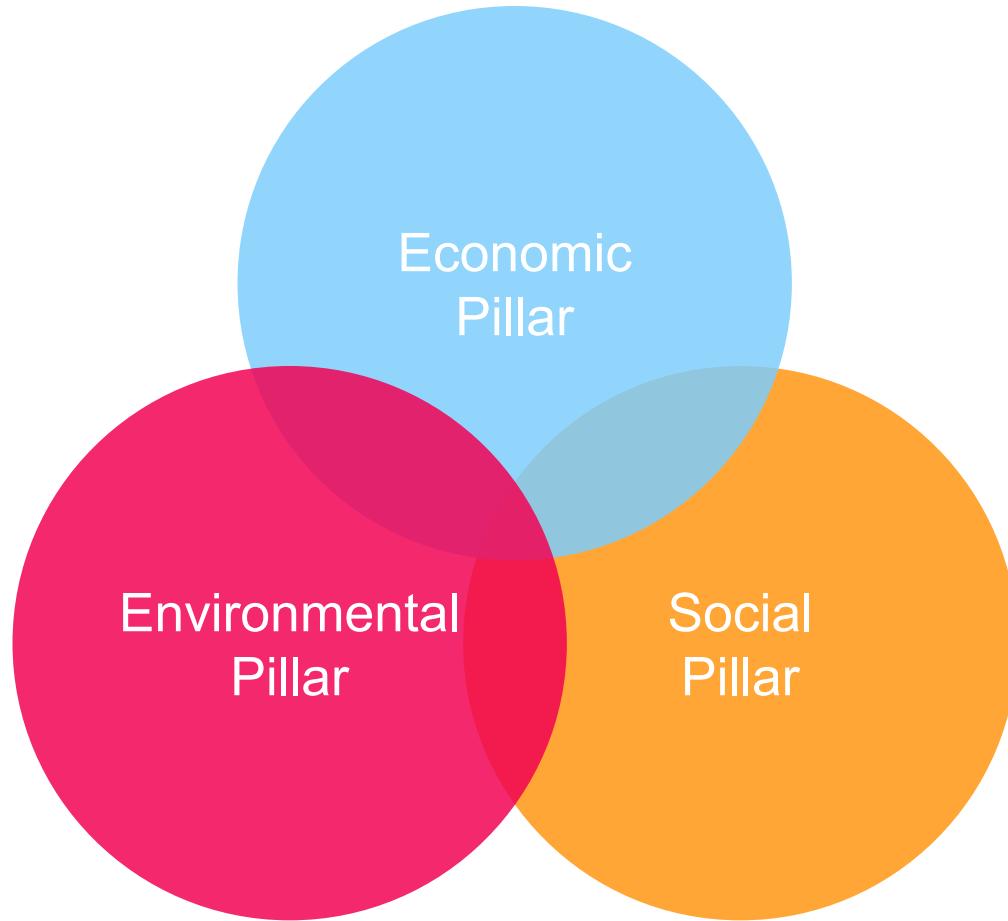
- ▷ Poverty reduction, protection of atmosphere, forests, water resources, health, agriculture, **ecology**, waste disposal
- ▷ The importance of women, children, youth and agricultural producers in UN programmes **together** with governments
- ▷ The role of **local** authorities in the application of the concept of sustainability
- ▷ Local governments should include members of local population when creating Local Agendas

TRANSFORMING OUR WORLD: THE 2030 AGENDA FOR SUSTAINABLE DEVELOPMENT

- ▷ 17 sustainable development goals and 169 targets



THE 2030 AGENDA FOR SUSTAINABLE DEVELOPMENT: 3 PILLARS



INTERNATIONAL CONVENTIONS RATIFIED BY THE REPUBLIC OF SERBIA

- 1) The Ramsar Convention on Wetlands of International Importance especially as Waterfowl Habitat **(1971)**
- 2) Convention Concerning the Protection of the World's Cultural and Natural Heritage **(1972)**
- 3) Convention concerning Prevention and Control of Occupational Hazards caused by Carcinogenic Substances and Agents **(1974)**
- 4) Convention on the Conservation of European Wildlife and Natural Habitats **(1979)**
- 5) The Vienna Convention for the Protection of the Ozone Layer **(1985)**
- 6) The Montreal Protocol on Substances that Deplete the Ozone Layer **(1987)**
- 7) Convention on Long-Range Trans-boundary Air Pollution **(1979)**

INTERNATIONAL CONVENTIONS RATIFIED BY THE REPUBLIC OF SERBIA

- 8) Convention on Biological Diversity (1992)
- 9) UN Framework Convention on Climate Change (1992)
- 10) The Convention on Co-operation for the Protection and Sustainable Use of the River Danube (1994)
- 11) UN Convention to Combat Desertification in Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa (1994)
- 12) Aarhus Convention on access to information, public participation in Decision-Making and Access to Justice in Environmental Matters (1998)
- 13) European Landscape Convention (2000)
- 14) Framework Convention on the Protection and Sustainable Development of the Carpathians (2003)

5. NATIONAL LEGISLATION

National Environmental and Criminal Law Provisions

NATIONAL LEGISLATION OF THE REPUBLIC OF SERBIA

- ▷ Environmental laws
- ▷ Criminal Code (Chapter 24)
- ▷ Environmental delicts: Illegal activities against the environment, incriminated by current legislation

Environmental Delicts

Environmental
Criminal
Offences

Environmental
Economic
Offences

Environmental
Administrative
Offences

ENVIRONMENTAL LEGISLATION OF THE REPUBLIC OF SERBIA

- 1) Law on Nature Protection
- 2) Law on Environmental Protection
- 3) Law on Strategic Estimation of Environmental Impact
- 4) Law on Estimation of Environmental Impact
- 5) Law on Integrated Prevention and Control of Environment Pollution
- 6) Law on Air Protection
- 7) Law on Waters
- 8) Law on Forests
- 9) Law on Spatial Plan of the Republic of Serbia between 2010 and 2020
- 10) Law on Planning and Construction

SERBIAN STRATEGIES RELEVANT TO SUSTAINABLE DEVELOPMENT

- 1) National Sustainable Development Strategy
- 2) Strategy of Agriculture and Rural Development of the Republic of Serbia for the period between 2014 and 2024
- 3) National Program for Agriculture and Rural Development
- 4) Forestry Development Strategy of the Republic of Serbia
- 5) Biodiversity Strategy of the Republic of Serbia
- 6) National Strategy for Sustainable Use of Natural Resources and Goods
- 7) National Strategy for Approximation in the Field of Environment for the Republic of Serbia
- 8) Strategy and Policy of Industrial Development of the Republic of Serbia between 2011 and 2020

CHAPTER 24 OF CRIMINAL CODE: CRIMES AGAINST THE ENVIRONMENT

- 1) Environmental Pollution (260.)
- 2) Failure to Undertake Environmental Protection Measures (261.)
- 3) Illegal Construction and Operation of Facilities and Installations Polluting the Environment (262.)
- 4) Damaging Environmental Protection Facilities and Installations (263.)
- 5) Damaging the Environment (264.)
- 6) Destroying, Damaging and taking abroad a Protected Natural Asset (265.)
- 7) Bringing Dangerous Substances into Serbia and Unlawful Processing, Depositing and Stockpiling of Dangerous Substances (266.)
- 8) Illegal Construction of Nuclear Plants (267.)
- 9) Violation of the Right to be Informed on the State of the Environment (268.)
- 10) Pollution of Livestock Fodder and Water (273.)
- 11) Devastation of Forests (274.)

PUNISHMENTS FOR CRIMES AGAINST THE ENVIRONMENT IN SERBIA

- 1) Fine
- 2) Imprisonment
- 3) Conditional sentence

- ▷ Conditional sentence with the obligation to apply measures necessary for the restoration of the damaged or polluted environment
- ▷ The application of the principle “*restitutio in integrum*”
- ▷ Returning damaged or polluted environment to its previous state
- ▷ The application of the principle “*polluter pays*”

CHALLENGES OF ENVIRONMENTAL CRIME PREVENTION AND SUPPRESSION

- ▷ Small number of reported, prosecuted and punished
- ▷ “Dark (or hidden) figure of crime”
- ▷ Numerous problems: reporting, discovering and proving
- ▷ High price of expert findings
- ▷ Expert findings are rarely asked
- ▷ Expert finding’s accuracy is often disputed
- ▷ Mild penal policy
- ▷ Frequent imposing of **conditional sentence**
- ▷ Frequent imposing of **deliberation from punishment**

6. CONCLUSION

Suggestions and Recommendations

CONCLUSION – CURRENT STATE

- ▷ Negative environmental impacts of unsustainable industrial and technological development affect **local communities**
- ▷ Few comprehensive reports on **municipal level**
- ▷ Hard to **estimate** the actual impact on local communities
- ▷ Serbia has made significant efforts to harmonise its legislation with international standards
- ▷ EU standards regarding **Chapter 27** on environmental protection and climate change are particularly important

CONCLUSION – LOCAL INITIATIVES

- ▷ In the Western Balkans, several local authorities have adopted local sustainable development strategies
- ▷ Driven by international donor programmes to increase the capacity of local actors
- ▷ When conceptualising donor assistance to local sustainable development initiatives OECD suggests that they should take the environmentally conscious approach

- ▷ Constant equilibrium between 3 goals:
 - 1) Economic safety
 - 2) Social justice
 - 3) Environmental balance

CONCLUSION - RECOMMENDATIONS

- ▷ Complete harmonization with **EU** standards
- ▷ Adopting laws and ratifying conventions – not sufficient
- ▷ More efficient **application** on all levels
- ▷ Raising environmental **awareness** of all subjects
- ▷ **Prevention** as a priority
- ▷ Sustainable use of energy
- ▷ Smaller amount of side products
- ▷ Local planning for global impacts

Thank you
for your attention