



European Union Action to
Fight Environmental Crime

WP 4

Armenia (Mining)

Christoph H. Stefes, Ph.D.
Senior Fellow, Ecologic Institute
Associate Professor, Dept of Political Science, CU Denver

04 November 2014

Key findings

- 🌐 Conceptual considerations
- 🌐 Who fights environmental crime
- 🌐 International dimension



Key Findings 1

Conceptual issue

- Are environmental laws violated (legal definition)
 - Yes, but that is only part of the story
- Existing laws (e.g., mining code) are too weak - a normative perspective?
 - Yes, but that is also just part of the story

- 🌐 Environmental laws are too weak not by accident and not due to some political oversight
- 🌐 They are weak due to illicit collusion between private and public actors
- 🌐 The crime here in environmental crime starts at the law-making stage

How do we know that the laws are too weak?

- Cost-benefit analysis: who gains, who loses, and the balance sheet overall
- Comparison of environmental legislation (regulation of mining industries) in comparable countries (OK, somewhat problematic though)
- Gap analysis: international treaties Armenia signed (Aarhus Convention) vs. national laws (keep in mind according to Arm constitution, international law trumps national law)

Key Findings 2

Fighting Environmental Crime

- The importance of civil society
- In authoritarian and highly corrupt regimes, little can be expected from the state
- NGOs and civic movements have scored some smaller victories, not so much in the mining sector though (power of the oligarch is too strong)

Key Findings 3

International Dimension

- International treaties (as mentioned before) - leverage for foreign/int'l actors to pressure Armenia government
- Foreign (and esp. European) mining companies operate in Armenia - and in ways that would be tolerated in the West (corruption, low environmental, labor, and other standards)
- International governmental organizations and European Union play an ambiguous role - some pushing for environmental protection, but turning a blind eye on mining-related pollution (support of foreign companies?)