WP 4

Armenia (Mining)

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

04 November 2014

www.efface.eu
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?)