



## CRIMBIODIV

# Criminal behaviour against biodiversity

### SUMMARY

The CRIMBIODIV project carried out between 1 April 2021 and 31 March 2023 in the framework of the research programme BRAIN-be 2.0 and, more specifically, in the framework of Pillar 1 of this programme (Challenges and knowledge of the living and non-living world) aiming to analyse the challenges of cohabitation between the living and non-living world on the same territory.

The objective was to understand what happens when conflicts arise from this cohabitation, using diversified approaches from both the social sciences (criminology in particular, but also law, sociology, etc.) and the life sciences (especially biology).

### Keywords

Biodiversity harm – Green Criminology – Nature – Environment – Penal and administrative repression

### RESEARCH TEAM

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## **Context**

Biodiversity is under attack on several fronts in Belgium as elsewhere, with consequences that, as yet, are only partially anticipated. At the same time, we have to regret the absence of a coordinated criminal policy at all levels of power involved in cases of criminal damage to biodiversity. This weakness in terms of criminal policy is mainly due to the complexity of the federal state's institutional landscape and a fragmentation of environmental powers between the federal and regional levels. But the environment just keeps rolling on, no matter who's in charge... The health crisis, combined with climate change, has recently highlighted a significant number of major environmental and social issues such as the vital need for natural spaces and urban vegetation, the territorial occupation of these areas and their unequal distribution, the need to keep citizens informed about protection of biodiversity and the actions they can take to ensure this protection, the postures of adherence and resistance to the norms, the welfare of domestic animals, the latitude available to the actors in charge of controlling and punishing infringements and their possible concerns about the type of sanctions to adopt.

## **Objectives**

The CRIM-BIODIV project pursues the general objective of joint construction of knowledge in order to develop, on the one hand criminological expertise in penal protection of biodiversity, and on the other an interdisciplinary dialogue aiming to halt the loss (or collapse) of biodiversity. This will be done via a unique alliance between researchers in human sciences and researchers in life sciences.

Three operational objectives were also pursued by favouring a relational and micro-social approach to biodiversity damage. Firstly, it intends to identify the drivers and levers of individual, citizen, association and professional action in relation to environmental norms protecting biodiversity. Secondly, it aims to increase knowledge on the social representations of environmental rules protecting biodiversity, of deviations from these norms and of the social reaction to these deviations. Lastly, the project aims to identify the methods that can be mobilised to encourage behavioural changes to protect biodiversity.

Last but not least: the CRIM-BIODIV project aimed to give a place to the tools of action and therefore it also intends to participate in the construction of useful tools to approach, understand, analyse, objectify and react to situations that harm biodiversity. This tool can be used by anyone wishing to take action: individuals as well as environmental associations and public authorities.

## **Methodology**

The project focused on a study of different cases, a set of 'problem situations' in which an (alleged or proven) harm to biodiversity has led to a questioning or an (in)action on the part of one or several individuals, acting as citizen(s) or as representative(s) of a public authority or environmental associations, experts and so on. The case study enables an in-depth analysis of diverse present or past situations in their particular context. This perspective, which is extremely comprehensive and totally

inductive, is stimulating for CRIM-BIODIV research, in virtue of its interest in the management of harm to biodiversity. Thus, in line with a criminology of social reaction, the CRIM-BIODIV project does not ask why and how human beings (or, by extension, society) destroy the environmental balance, but rather how they react to this (possible / supposed) destruction. In other words, the fifteen case studies analysed in this research provide an insight into what the perception of damage to biodiversity makes people and institutions do.

The construction of the tool required exploratory work to identify real needs, followed by efforts to build the tool, experiment in the field and conduct evaluations, giving rise to possible developments in the future.

## **Results, conclusions and recommendations**

In addition to the development of a reaction tool for biodiversity damage, the conclusions of the empirical research are structured around four axes, that emerge from an analytical cross-section of all the 15 case studies. The first transversal axis of analysis concerns a central element of the research: the representations conveyed by the many stakeholders we met. This axis places the plural visions of damage to biodiversity in a context of action and reaction to precisely identified damage. The second axis of analysis concerns cohabitation – or, in the plural, the ways of existing in relation to biodiversity. The third axis echoes one of the pillars on which the research project was based, i.e. identification of the levers of individual, citizen, association and professional action in the face of threats to biodiversity and environmental standards. These levers are analysed in terms of the types of action or reaction observed in the case studies : opposition, contentious or competitive ; raising awareness, prevention, nudging ; human management of the impact on (non-human) life ; and, reparation, compensation, repression and sanctions. The fourth and final axis of analysis focuses on the set of mechanisms and processes that underpin the establishment of environmental standards and their efficiency : state of standards/administration ; role of the law ; the differential management of biodiversity harms ; and, the distinction between individual and structural harms to biodiversity.

Taking an interest in the harm done to biodiversity (and the reactions they produce) requires us to navigate between the natural sciences (their technicality, rationality and scientific aspirations) and the human sciences (taking into account human variability, their reflexivity and their involvement in the social world), oscillating between objective (dys)qualifications and subjective (dys)qualifications of the states of biodiversity. In this perspective, it seems appropriate to pursue the interdisciplinary dialogue and organise the opportunities and capacities for transdisciplinary encounters, or even to admit disciplinary transgressions or the emergence of new epistemologies outside the existing disciplinary.

20 recommendations close the report, in terms of regulatory framework, legal and administrative procedures ; scientific research ; and non-profit sector.