

Sustainable development – A new challenge for the police

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Introduction

Sustainable development is a concept that comes up more and more often and pressingly. Almost daily, the media talk and write about sustainable development. In addition, there are many social initiatives paying attention to the sustainable world view. We talk, for example, of sustainable tourism, sustainable construction and sustainable investment. In his film and book 'An Inconvenient Truth', Al Gore probingly sketched the world's fate, in this case a climate crisis, if the principles of sustainable development are violated.

Various political leaders underline, both orally and in writing, the importance of acting in a responsible way from the perspective of sustainability. Most notably among these are the UN Millennium Development Goals, which set goals and targets for combating poverty, hunger, disease, illiteracy, environmental degradation, and discrimination against women.³

But what are the background, the definition, and the aim of sustainable development? How can sustainable development be shaped and given substance and who are the actors involved in this process? What is the possible meaning of all this for the police, and what consequences does this have?

Origin of the concept of sustainable development

Tradition has it that the concept of sustainable development was first used in forestry at the beginning of the 18th century. At the core was the idea that the cutting of wood and projects to replace felled trees (afforestation) had to be balanced in such a way that forests could retain their essential production function for society over time.⁴

In the international political arena and in international environmental law, sustainable development came on the agenda after the report of the Brundtland Commission (Our Common Future, 1987)⁵. This report marks a culmination of decades of growing concern about pollution of the environment and exhaustion of natural resources as apparent consequences of economic growth. Often large-scale environmental accidents acted as a trigger for such concerns. Think, for example, of the contamination of the Rhine in 1986, due to the disastrous fire at the Sandoz chemical facility in Basel, Switzerland. Over the years, various, now famous, publications and pamphlets contributed to this increasing concern: 1962

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³ *Millennium Development Goals*, United Nations Millennium Summit, September 2000, available at <http://www.un.org/millenniumgoals/>.

⁴ Hans Carl von Carlowitz, *Sylvicultura oeconomica, oder haufswirthliche Nachricht und Naturmäßige Anweisung zur wilden Baum-Zucht* (1713).

⁵ *Our Common Future: World Commission on Environment and Development [Brundtland Commission]*, Oxford University Press, Oxford, 1987.

- Silent Spring⁶, 1972 - Limits to Growth⁷ (known as the Report for the Club of Rome) are 7examples.

The international importance of sustainable development was also acknowledged by the United Nations, which made clear, at the 1992 UN Conference for the Environment and Development in Rio de Janeiro (also called the Earth Summit), that the environment and socio-economic development are closely related.

As a sequel to Rio, the 2002 World Summit for Sustainable Development (WSSD) in Johannesburg increased the momentum to work internationally on the form, substance and implementation of sustainable development. In many countries the results of Johannesburg were translated into strategic action programmes, comprising concrete actions for the major sustainability themes.

The most often used definition of sustainable development is that of the Brundtland Commission: 'Sustainable development is development that meets the need for the present without compromising the ability of future generations to meet their own needs.' Sustainable development therefore is not only about 'here and now', but also about 'there and later'. Decisions about what we are doing (or not doing) here and now, should always pay attention to the consequences these actions (omissions) will have in the long run and also elsewhere.

How attractive and soliciting the definition of sustainable development may be, at the same time it is quite general and, therefore, vague. For this reason it is difficult to operationalise the concept and make it accessible and manageable in practice. What does sustainable development mean concretely for the actions of governments, citizens, enterprises and social organisations?

The three dimensions of sustainable development

Sustainable development is not only about the natural environment, but rather it covers several more dimensions. Customarily, the concept is given a broader meaning by linking it with 3 dimensions: social-cultural, ecological and economic. These 3 dimensions, also referred to as values, are often indicated as 3xP (triple P): People, Planet, Prosperity⁸.

People

Equitable relations between, and fair opportunities for, people and groups of people, is an important condition for sustainable development in societies and human networks – from the local to the global scale.

Examples:

- Sustainable development requires that employees work under healthy and safe labour conditions, with a fair salary and with opportunities to develop themselves professionally.

⁶ R. Carson, *Silent Spring*: Houghton Mifflin, Boston, 1962.

⁷ D. Meadows *et al.*, *The Limits To Growth – A Report for the Club of Rome Project on the Predicament of Mankind*, Universe Books, New York, 1972.

⁸ Originally, instead of Prosperity the term Profit was used. This term is more strongly focused on the private sector; see J. Elkington, *Cannibals with Forks. The Triple Bottom Line of 21st Century Business*: Capstone, Cornwall 1997. After Johannesburg 2002, 'Prosperity' is more often used.

- When purchasing consumer goods and products, it is important to verify that these have not been produced with help of child labour.

Planet

Nature and the environment cannot be burdened *ad infinitum* by harmful effects, exhaustion and pollution. At some stage the world will arrive at a situation in which the ecological basis for the continued existence of present or future generations, here or elsewhere, is at serious risk.

Examples:

- Sustainable management of forests prevents that logging leads to large-scale deforestation and harmful effects on the rich variety of species (biodiversity).
- Control of ground water extraction, manuring and the use of pesticides prevents harmful effects on the quantity and quality of ground water and also facilitates safe use in the future.

Prosperity

Economic activities are about more than just financial returns. When delivering products and services, it is also of importance to contribute to social welfare and wellbeing. In other words: it is the added value of doing business that counts. In this connection, the private sector often refers to Corporate Social Responsibility.

Examples:

- Companies support social initiatives at their places of business or elsewhere.
- Producers use base materials that have been extracted in a sustainable way and make products that at the end of their (economic) life do not produce any, or a controllable amount of, harmful waste.

Sometimes a fourth P is added to the other three: Process or Participation, this in order to underline that sustainability only has a chance of success if there is sufficient support among the actors (citizens, enterprises, organisations, and governments).

Sustainable development requires that, when acting in a social-economic context, the various dimensions of sustainability are considered in their mutual context and in a balanced and interrelated way. This implies, for example, that effects of one domain should not be shifted, in time or place, to other domains. Furthermore, economic progress can not be achieved at the cost of the environment or social conditions. Also, when protecting the living environment, a balance should be sought between the mitigating measures and their economic and social feasibility.

The huge implications of non-sustainable consumption of fossile fuels on the earth's climate system, is very well underlined by the eminent work of the Intergovernmental Panel on Climate Change (IPCC)⁹. For two decades now, hundreds of scientist, all over the world, worked together in order to analyse and to understand how the earth's climate is affected by human activities. Their results, although disputed in the early years of IPCC, are currently seen as the most reliable and substantial information on climate change. The findings of the panel have inspired opinion-leaders and moviemakers to raise awareness with politicians and the general public.

⁹ For more information, see www.ipcc.ch

For their outstanding contributions in this context, Al Gore and the IPCC have been awarded the 2007 Nobel Peace Prize. With this, the Nobel Committee acknowledges and stresses that issues of sustainable development are important elements in matters of (international) conflicts and tensions. Deterioration of living conditions due to non-sustainable economic practises will more and more lead to situations of instability, since victims will be desperately seeking places with safer living condions and better future perspectives.

“Indications of changes in the earth's future climate must be treated with the utmost seriousness, and with the precautionary principle uppermost in our minds. Extensive climate changes may alter and threaten the living conditions of much of mankind. They may induce large-scale migration and lead to greater competition for the earth's resources. Such changes will place particularly heavy burdens on the world's most vulnerable countries. There may be increased danger of violent conflicts and wars, within and between states.”¹⁰

Actors for sustainable development

Various stakeholders have a responsibility to bring sustainable development in practice. The (international) business sector meanwhile has considerable experience with the implementation. Different branches such as the chemical industry, banks and insurance companies, have started to contribute to sustainable development by seeking a proper balance between social/cultural, ecological and economic aspects of their business. By this, they want to demonstrate their Corporate Social Responsibility. Governments and professional organisations often stimulate these developments of sustainable entrepreneurship through specific facilities in the area of expertise development and networks.¹¹ Of course, citizens can also contribute directly or indirectly to sustainable development. For example, as consumers, they can have an influence through their actual behaviour. Purchasing products with an environmental hallmark, economic use of energy and water, councious use of polluting means of transportation and separation of waste are examples of this.

To be in a position to contribute to sustainability in a meaningful way, actors need to acquire appropriate knowledge and competences in order to make relevant considerations and choices. Therefore an important role is dedicated to education to offer citizens, students, professionals and organisations effective learning programs. In view of this, the United Nations have declared the years 2005-2014 the Decade for Education for Sustainable Development¹². On the national level, many initiatives find inspiration in this UN initiative.

An important task of governments is to formulate policies in the area of sustainable development and to stimulate and steer the implementation and execution of this policy by the actors.¹³ From local to global level, convincing policies, good governance, and the rule of law

¹⁰ Citation for the official announcement of the Norwegian Nobel Committee, Oktober 12, 2007

¹¹ See e.g. the expertise centre for Corporate Social Responsibility, which is subsidised by the Ministry of Economic Affairs of The Netherlands MVO. Its focus is in particular on medium and small sized enterprises. See www.mvonderland.nl and www.mvo.ez.nl, also available in English language.

¹² The goal of the United Nations Decade of Education for Sustainable Development (2005-2014, DESD), for which UNESCO is the lead agency, is to integrate the principles, values, and practices of sustainable development into all aspects of education and learning. For more information, see www.desd.org

¹³ See *Making International Environmental Law Work* in Hunter, James Salzman, and Durwood Zaelke, INTERNATIONAL ENVIRONMENTAL LAW AND POLICY, 3rd (2006).

are essential prerequisites to achieve sustainable development.¹⁴ Clear legislation, regulations and rules of conduct have to be in place to which all actors – also the governments themselves – have to adhere. Where spontaneous compliance fails, instruments and capacity for compliance promotion and enforcement have to be put in place. In serious cases, criminal investigations and prosecutions can be considered. As H.L.A. Hart, the legal theorist notes "*because human altruism is limited in range and intermittent..., what reason demands is voluntary co-operation in a coercive system....*"¹⁵

Although an important part of the execution and implementation should be picked up by others, the government cannot suffice by just referring to these actors. Authorities themselves and their organisations have a responsibility to contribute concretely and tangibly to sustainable development. In this context governments are to set the good examples.

Police and sustainable development

The foregoing implies that also the police – as a large public service – play an important role in sustainable development. What does sustainability mean for the function and tasks of the police? What does it mean for the police as organisation? What contribution to sustainability can the police render? The answers to these questions can be formulated from two perspectives.

1. External perspective

It is (unfortunately) not self-evident that actors conform spontaneously to policies, legislation and regulations that are in place for the protection of sustainable values. Where rules are violated, a response from the competent authorities is needed to encourage compliance, deter non-compliance, maintain standards and trace offenders, in order that justice is done to the objectives and interests of sustainable development.¹⁶

If the authorities in question, including the police, are to perform these tasks properly, the subject of sustainable development is to be considered in its full scope in the prioritisation and programming of their activities. This requires the presence (or development) of knowledge concerning the relevant legislation, the characteristics and effects of non-sustainable actions and possibilities/powers to take action against offenders, also through international cooperation.¹⁷ It is important in this context that reasoning, judgments and actions take place from the perspective of each of the 3 Ps of sustainability and their mutual correlations. One example of this type of activity is Interpol's Ecomessage-program. The objectives of this program is to enhance effective reporting and communication about criminal environmental offenses between law enforcement professionals in different countries and to develop a database to facilitate analysis of information and trends regarding environmental crime.¹⁸ The following are examples of other possible activities:

¹⁴ See Durwood Zaelke, Matthew Stillwell, & Oran Young, *What Reason Demands: Making Law Work for Sustainable Development* in Durwood Zaelke, et al. (eds), MAKING LAW WORK: ENVIRONMENTAL COMPLIANCE & SUSTAINABLE DEVELOPMENT (2005).

¹⁵ H. L. A. Hart, THE CONCEPT OF LAW (2nd ed. 1994).

¹⁶ See Gary S. Becker, *Crime and Punishment: An Economic Approach*, 76(2) JOURNAL OF POLITICAL ECONOMY 169 (1968), reprinted in Zaelke, et al. (eds), MAKING LAW WORK, *op cit*.

¹⁷ For more information on international environmental crime, visit <http://www.inece.org/topics/crimes/index.html>.

¹⁸ *Interpol, Ecomessage, and the Police: Workshop Summary*, PROCEEDINGS OF THE SEVENTH INTERNATIONAL CONFERENCE ON ENVIRONMENTAL COMPLIANCE AND ENFORCEMENT (2006) available at http://www.inece.org/conference/7/vol2/20_Wkshop1C.pdf.

- A major threat to sustainability, in particular to biodiversity, comes from the (international) violation of regulations to protect endangered types of flora and fauna, as laid down in the CITES Treaty¹⁹. The control, tracking, and enforcement/investigation to combat illegal trade of protected species deserves much more attention worldwide. The need for such action was recently underlined in a report about the substantial role of European countries in (illegal) wildlife trade.²⁰
- Waste streams are shipped illegally from developed to developing countries on a large scale. Often the waste is recycled in the destination countries (particularly in Asia) under poor labour conditions and with devastating effects on nature and the environment. Frequently however, the waste is dumped straight away²¹. These practices have disastrous consequences for sustainability and call for strict enforcement and investigation, both domestically and internationally.
- Harmful effects on sustainability are not only relevant on an international scale, but also closer to home. A liveable and safe neighborhood, tackling nuisance and criminality and encouraging social cohesion all contribute to and strengthen sustainability in regions, cities and neighborhoods. Police officers should use their supervision, enforcement and investigation powers together with relevant partners from the administration and social organisations, to contribute to the development and support of public safety in a sustainable way.

2. Internal perspective

A government that stipulates that other actors in society should follow the principles of sustainable development, should set the right example itself. In view of this, and as a spin-off of the WSSD in Johannesburg in 2002, several countries have adopted special programmes to raise the level of sustainability in government organisations. Many of such initiatives fit under the umbrella of sustainable operational management of government organisations, including sustainable purchase, sustainable energy and mobility and environmental management.

Sustainable purchase

When environmental aspects and social aspects are applied in all phases of the purchasing process so as to eventually arrive at actual delivery of a product, service or work that meets these environmental and social aspects, one speaks of sustainable purchase. Governments and their institutions, as big organisations, are buying large volumes of products and services. Therefore, they are potentially strong and decisive players in the market of sustainable goods.²²

Police organisations are among the biggest organisations in many government systems. Police forces need many materials in large quantities for their primary functional activities and their secondary supportive processes. Important purchase packages for which the police are to consider aspects of sustainability are for example: company clothing, ICT facilities,

¹⁹ CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora) is an international treaty regulating the cross-border trade in endangered plants and animals and their products (e.g. caviar and ivory). The treaty has currently been signed by 171 countries. CITES has been incorporated into EU legislation and has direct applicability in the member states.

²⁰ Engler, M. and Parry-Jones, R. (2007), Opportunity or threat: the role of the European Union in global wildlife trade; TRAFFIC Europe, Brussels, Belgium.

²¹ Think of, for example, the hazardous substances from the Probo Koala, which in 2006 caused a catastrophe in Abidjan/Ivory Coast.

²² For more on the role of markets and sustainable development, see *Competitiveness and Compliance: The Porter Hypothesis* in Zaelke, et al. (eds), MAKING LAW WORK, *op cit*.

cleaning, printing, catering (also in relation to the health of the officers) and housing/accommodation. The fleet of cars and its energy consumption and air emissions are also important factors in the context of sustainable purchase (see below).²³

²³ Interesting to note that some forces started using police vehicles with cleaner hybrid engines, e.g. the London Metropolitan Police has now approximately. 100 Toyota Prius cars on the road.

Sustainable energy and mobility

Consumption of energy causes a burden on the environment in terms of emissions and often calls on exhaustion of non-renewable and limited sources. From the perspective of sustainability, police forces should investigate means for making their use of energy more efficient and more climate-neutral.

The theme of mobility touches on a number of aspects of sustainability. Police forces are organisations that, due to their function and role, must be mobile to contribute to safety and security in society. This could imply even stronger that the way in which this mobility is organised and realised should be assessed against the values of sustainability. For example, when new vehicles are purchased, fuel consumption and emission factors are to be included together with requirements of functionality, safety, comfort, price, and reliability. It also would be reasonable to formulate and implement an explicit policy on transport management for locations and meetings. This allows steering on other transport modalities than the automatic choice for a car. In view of the great impact of flying on atmospheric emissions, it would be appropriate to make explicit considerations as to use and necessity. To the extent that flying is needed, it can be considered to join programs that make flights climate-neutral through CO₂ compensation schemes.²⁴

Environmental management

In police organisations, care for the environment can best be safeguarded with an environmental management system (EMS). Such a system, whether or not certified according to accepted standards, offers a basis for paying structural attention to all environmental aspects and consequences of the operational management of the organisation. Often an environmental programme with concrete objectives forms the basis for an EMS. This enables the organisation to map out, evaluate, report on and continuously reduce its impact on the environment.

In many organisations environmental management is a specific item or consequence of an environmental policy statement, in which higher management expresses its commitment to, and leadership for, an active environmental policy. An EMS is often an integral part of an organisation's system for quality care.

Careful management of and compliance with the required environmental permits and their conditions is part of an EMS. Awareness, education and training of staff is another aspect that should be part of such system.

How to proceed from here?

The preceding summary of sustainable development and discussion of its implications for law enforcement in general, and the police and their organisations in particular, could be a reference point for police forces that have the ambition to contribute to sustainable development. In order to incorporate sustainability in the primary and secondary processes of the police forces in a meaningful way, a process of awareness raising, research, development of know-how and competences, and implementation will be required.

To know in which direction an organisation wants to go, it is necessary to first find out where it is presently. Therefore it would be useful if police forces take on the challenge to investigate where they are currently on the ladder of sustainability, both from the internal and the external

²⁴ For example, compensation programmes such as Green Seats – but there is also criticism on the meaning and effect of such initiatives.

perspective. The results will indicate where forces can make improvements. Furthermore, the outcomes of such investigations are likely to produce police-wide learning material in the form of best practices and mutual benchmarking exercises.

Finally, one should not forget that several police organisations have already more advanced experience with the implementation of sustainable development.²⁵ Others might take advantage from this. To facilitate and stimulate a process of exchange, learning and improvement, police officers and their organisations around the world could benefit from an *International Police Platform for Sustainable Development*.

Who takes up the challenge to host and contribute to such a network, in order to stimulate the implementation of actions for sustainable development in police work and police organisations?

²⁵ The London Metropolitan Police and The Royal Canadian Mounted Police are examples here.