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Normative prerequisites and general interest for the preservation of biodiversity in the Republic of Serbia*

Normatywne przesłanki i interes ogólny w zakresie ochrony
bioróżnorodności w Republice Serbii

Abstract: The Stabilisation and Association Agreement with the European Union entered into force on 1 September 2013. Serbia's negotiating positions are defined in 35 chapters. Chapter 27 is entitled Environment and Climate Change and covers 10 basic sectors: horizontal legislation, air quality, waste management, water management, nature protection, industrial pollution control, chemicals, noise protection, climate change, and civil protection. In 2007, the Law on Ratification of the Convention on Environmental Impact Assessment in a Transboundary Context (ESPOO Convention) was adopted. The Ministry of European Integration and the Ministry of Environmental Protection provide up-to-date reports on their websites on all the steps taken by the Republic of Serbia in the opening and closing of Chapter 27. The Law on Nature Protection from 2009 defines biodiversity as biological diversity, which is the totality of genes, species, and ecosystems on Earth or in a clearly defined area. The law prescribes the sustainable use of natural assets and/or resources, meaning the use of components of biodiversity or geodiversity in a way and to an extent that does not lead to a long-term reduc-

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tion of biodiversity – i.e. geodiversity – maintaining their potential to meet the needs and aspirations of current and future generations. The aim of this work is to indicate that the Republic of Serbia meets the normative prerequisites for the preservation of biodiversity, in terms of regulation and protection. The next long-term goal is for the population of Serbia to continually act in accordance with the numerous norms that have been adopted to preserve biodiversity.

Keywords: biodiversity, Serbia, legal norms, negotiation chapters, interest, criminology

Abstrakt: Układ o stabilizacji i stowarzyszeniu Republiki Serbii z Unią Europejską wszedł w życie 1 września 2013 r. Pozycja negocjacyjna Serbii została określona w ramach 35 rozdziałów. Rozdział 27 pt. Środowisko i zmiany klimatu, obejmuje 10 podstawowych sektorów: ustawodawstwo horyzontalne, jakość powietrza, gospodarowanie odpadami, gospodarkę wodną, ochronę przyrody, kontrolę zanieczyszczeń przemysłowych, substancje chemiczne, ochronę przed hałasem, zmiany klimatu oraz ochronę ludności. W 2007 r. przyjęto ustawę o ratyfikacji Konwencji o ocenach oddziaływania na środowisko w kontekście transgranicznym (Konwencja z Espoo). Ministerstwo Integracji Europejskiej oraz Ministerstwo Ochrony Środowiska publikują na swoich stronach internetowych aktualne raporty dotyczące wszystkich działań podjętych przez Republikę Serbii w ramach otwierania i zamykania Rozdziału 27. Ustawa o ochronie przyrody z 2009 r. definiuje bioróżnorodność jako różnorodność biologiczną, czyli całokształt genów, gatunków i ekosystemów na Ziemi lub w wyraźnie określonym obszarze. Ustawa określa również zasady zrównoważonego użytkowania zasobów naturalnych – rozumianego jako wykorzystywanie elementów bioróżnorodności lub georóżnorodności w taki sposób i w takim zakresie, aby nie prowadziło to do długoterminowego zmniejszenia bioróżnorodności lub georóżnorodności, przy jednoczesnym utrzymaniu ich potencjału do zaspokajania potrzeb i aspiracji obecnych oraz przyszłych pokoleń. Celem niniejszego opracowania jest wskazanie, że Republika Serbii spełnia normatywne przesłanki dla ochrony bioróżnorodności – zarówno w wymiarze regulacyjnym, jak i w zakresie ochrony praktycznej. Długofalowym celem jest natomiast kształtowanie trwałych postaw społeczeństwa serbskiego wobec przyjętych licznych norm mających na celu zachowanie bioróżnorodności.

Słowa kluczowe: bioróżnorodność, Serbia, normy prawne, rozdziały negocjacyjne, interes, kryminologia

1. Introductory considerations

The history of human civilization, as pointed out by Morris:

is in great part the account of man's efforts to free himself from the restrictions imposed by his natural environment; not only can he now live and work under practically all climatic conditions, but he can inhabit great conurbations which, though unable to support themselves, can exist by means of ingenious technology and efficient transport.¹

However, what has resulted, Morris further argues, is that man has created his own new environment which, in turn, begins to manifest its own limitations on human beings. A large city or a suburb can set limits on human activity which, although derived from a very different sense, are no less real than those set in the past by mountains, rivers, deserts, and oceans. It is precisely here that the ancient premise recognizing the differences between urban and rural lifestyles appears. That diversity is an appreciation of the basic association between patterns of behavior and characteristics of the local community. And, once upon a time, in the literature on criminology and sociology, a fundamental difference was made.

However, in the scientific community and the public at large, new terms, which correspond to the new reality, often meet with mistrust, which stems from ignorance about new phenomena – or about phenomena from the ancient or recent past, the knowledge of which is not deeply rooted in the population's consciousness. Some authors call it “global despair”: “Along with severe despair, innumerable confusions emerge in periods of great technological and cultural transitions.”²

From an internet search of the meaning of the term “biodiversity” in Serbian, one finds a large amount of information and clear explanations. On the other hand, that word – which was not used until recently, except in the field of natural sciences – became relevant in our country only last year, with discussions about the Jadar project.³ In 2001, Serbia ratified the Convention on Biological

¹ T. Morris, *The Criminal Area*, Routledge, London 1971, p. 1.

² S. Crnobrnja, *Globalno oćajanje* [Global Despair], <https://magazin.politika.rs/sr/clanak/571228/globalno-ocajanje> [access: 24.02.2025].

³ *Projekat Jadar – pitanja i odgovori* [Jadar Project – Questions and Answers], <https://www.mre.gov.rs/tekst/sr/6831/projekat-jadar-pitanja-i-odgovori.php> [access: 24.02.2025].

Diversity,⁴ according to which “biological diversity means the diversity of living organisms in all frameworks including, among others, terrestrial, marine and other water ecosystems and ecological complexes of which they are a part; this includes diversity within a species, between species and between ecosystems”. It is important to emphasize that Serbia is one of the six centers of European biodiversity, with 4,082 plant and animal species. Of these, 270 animal and 600 plant species are endangered.⁵

The aim of this work is to indicate that the Republic of Serbia meets the normative prerequisites for the preservation of biodiversity. The next long-term goal is for the population of Serbia to continually act in accordance with the numerous norms that have been adopted to preserve biodiversity, as a matter of general interest. The paper is divided into three basic parts: the first refers to the normative basis of the issue of biodiversity in Serbia; the second addresses the cognitive balance between green criminology and ecology of crime; and the third discusses the scientific and public interest in these issues in Serbia.

2. Normative basis of the issue of biodiversity and Green Agenda in Serbia

In the non-transparent field, a multitude of written or spoken thoughts, attitudes, and claims related to the concept of human rights may need to employ labels, such as “Understanding Human Rights”⁶, because at first glance they contain a clear explanation of the concept, as well as of the need to refresh one’s knowledge. The reason for this is that Article 1 of the Universal Declaration of Human Rights of 1948 stipulates three basic tenets: freedom, equality, and solidarity, or “all human rights for all”, which at the same time requires the interdependence of content. Freedom should include the freedom of thought, conscience, religion, and expression. Then, human rights should provide all people with equality in terms of protection against discrimination in the enjoyment of human rights, such as full equality between men and women.

⁴ Zakon o potvrđivanju Konvencije o biološkoj raznovrsnosti [Act on the Ratification of the Convention on Biological Diversity], Official Gazette of the FRY – International Treaties, No. 11/2001.

⁵ *Biodiverzitet Srbije* [Biodiversity of Serbia], <https://ekologika.rs/vesti/srbija/infografika-u-srbiji-ugrozeno-270-zivotinjskih-vrsta/> [access: 27.02.2025].

⁶ J. Marković, V. Petrović, *Razumevanje ljudskih prava – priručnik o obrazovanju za ljudska prava* [Understanding Human Rights – Manual on Human Rights Education], Ministarstvo za ljudska i manjinska prava Srbije i Crne Gore, Beograd 2003, p. 18, <http://www.bgcentar.org.rs/bgcentar/wp-content/uploads/2013/04/razumevanje-ljudskih-prava.pdf> [access: 25.02.2025].

Solidarity combines economic and social rights, such as social security, fair remuneration, adequate standards of living and health, and access to education. Based on the stated principles and content of their reach, human rights are divided into five categories: political, civil, economic, social, and cultural human rights. These rights are standardized in the Universal Declaration of Human Rights, as well as in two Pacts, and together they form the Charter of Human Rights.⁷

However, the idea of codifying and realizing human rights did not end with the adoption of the Universal Declaration of Human Rights in 1948. In the 1980s, when there was economic growth in European countries and the United States, the idea of special rights of victims, of unauthorized behavior, and of the incomprehensible consequences of natural disasters was founded. With the development of victimology and critical criminology in the sociological thinking of the Western world – as well as economically empowered economies, from which a part of the budget for remedying the consequences of victimhood of the population could be spared – they grouped together as protective objects in the domain of human rights the right to peace, the right to development, and the right to a healthy environment. In the literature on the subject, these rights are defined as true solidarity.

In modern states, the protection of human rights is envisaged as administrative law, judicial protection, constitutional court protection, and the protection of human rights through an ombudsman in those countries whose constitution and parliament have established one. However, in the broadest sense, human rights are most often protected in practice in administrative, criminal, and civil litigation.

During the period of the Socialist Federal Republic of Yugoslavia (SFRY), the Slovenian criminologist Janez Pečar wrote in an essay (1981) about the importance of a deeper and broader study of crime against the environment within the framework of criminology,⁸ as a special type of crime which is still called environmental crime today. Unfortunately, his work did not attract more attention from criminologists, considering the target audience. It is worth noting that, at the time, Slovenia was an integral part of the SFRY. However, today, in the Republic of Serbia, the issue of the green agenda is spoken about more often and more simply by ordinary citizens. Even then, they often do not know about the agreements that Serbia has concluded with international entities on the

⁷ Ibidem.

⁸ J. Pečar, *Ekološka kriminaliteta in kriminologija* [Environmental Crime and Criminology], "Revija za kriminalistiko in kriminologijo" 1981, vol. 32, no. 1, p. 33–45.

topic of biodiversity. More often, such questions are asked in the framework of incrimination for environmental crime.

In this paper, which is aimed at encouraging and empowering the knowledge of the history of law and legal norms in Serbia about the protection of nature, the author has started her theoretical and normative approach to the issue from modern regulations in Serbia, in order to make a thoughtful turning point toward the past. It seems desirable today to exalt the departure of the past. However, by studying the criminal law of Serbia during its state-building in the 19th century, a simple, unpretentious knowledge emerges that it is enough to read, interpret, and remember, so a genuine approach to comparing it with the present need not be feared.

It should be emphasized that in Serbia there is a long criminal justice history of standardized protection of the environment by those who were obliged to take care of it, from the citizens to civil servants. The Criminal Code of 1860 categorized all punishable offenses into crimes, offenses and acts, or crimes, deportations, and extraditions. In Chapter 34 of the Criminal Code for the Principality of Serbia from 1860, prescribes statements (exposures) relating to the protection of the life and health of humans and domestic animals, and on cleanliness. In nomotechnical terms, apart from a clear linguistic distinction, what was the subject of comparison of the method of standardization in one and the other criminal-law regulation, refers to group objects that protect the safety of human and animal health and cleanliness.

The archaic language and descriptions of individual procedures that are now viewed as overcome must not distract us, in the context of that need, from something that is reliable and always applicable from the legal heritage in our country. At the same time, neglecting this knowledge would lead to an unbiased approach to the present, which always reflects the past knowledge and experiences of people to ban or permit individual treatment.

In the long interval from the second half of the 19th century until the end of the Second World War, the realization of human rights had become a necessary issue at the international level, as well as in domestic law. Although human rights are not explicitly stated in the description of the beings of some crimes, in the contemporary criminal legislation of the Republic of Serbia,⁹ in special

⁹ After a period of almost 150 years, in 2005 Serbia prescribed and adopted new criminal legislation, which primarily marked the positioning of juvenile criminal legislation of criminal legislation under which the act in relation to adult offenders. A special part of the Criminal Code, i.e., substantive criminal law, is applied to all offenders unless the Law on Juvenile Offenders and Criminal Protection of Juveniles applies. See *Krivični zakonik Republike Srbije* [Criminal Code

heads, as group protection facilities, criminal offenses against human health (Chapter 23), the environment (Chapter 24) and the general safety of people and property (Chapter 25), which could be categorized as the right of solidarity. Each chapter includes a number of specific incriminations, whose content and context are largely determined by the progress of civilizational trends, as well as the needs of quality and organization of the everyday life of citizens.

The Stabilisation and Association Agreement with the European Union entered into force on 1 September 2013.¹⁰ Serbia's negotiating positions are defined in 35 chapters. Chapter 27 is entitled *Environment and Climate Change* and covers 10 basic sectors: horizontal legislation, air quality, waste management, water management, nature protection, industrial pollution control, chemicals, noise protection, climate change, and civil protection.¹¹

Serbia's accession to the European Union implies the opening of Chapter 27, titled *Environment and Climate Change*. The European Union policy aims to promote sustainable development and to protect the environment for present and future generations. It is based on preventive action, the "polluter pays" principle, the fight against ecological damage at its source, shared responsibility, and the integration of environmental protection into other EU policies. The legal heritage contains more than 200 important legal documents that include horizontal legislation, water and air quality, waste management, nature protection, industrial pollution control and risk management, chemicals and genetically modified organisms (GMOs), noise pollution, and forestry. Respect for the legal legacy requires significant investment. A strong, well-equipped administration at the national and local levels is an imperative for the application and implementation of legal heritage in the field of environmental protection.¹²

of the Republic of Serbia], Official Gazette of the RS, Nos. 85/2005, 88/2005 (corr.), 107/2005 (corr.), 72/2009, 111/2009, 121/2012, 104/2013, 108/2014 and 94/2016.

¹⁰ The Foreign Affairs Council, comprised of ministers of European Union Member States, issued a decision on the ratification of the Stabilization and Association Agreement with Serbia on 14 June 2010. The European Parliament ratified the Stabilization and Association Agreement with Serbia on 19 January 2011, while the ratification process in the Member States of the European Union concluded on 18 June 2013 after Lithuania's ratification – Stabilisation and Association Agreement, <https://www.mei.gov.rs/eng/serbia-and-eu/stabilisation-and-association-agreement/> [access: 26.02.2025].

¹¹ From the description of Chapter 27, it clearly follows that it is important to observe the norms from the following headings of the Code: 23 *Criminal Offenses Against Human Health*, section 24 *Criminal Offenses Against the Environment*, para. 25 *Criminal Offenses Against the General Safety of People and Property*.

¹² *Pregovaračka poglavlja. 35 koraka ka Evropskoj uniji* [Negotiation Chapters. 35 Steps Towards the European Union], EU Information Centre in Belgrade, Belgrade 2014, p. 30, https://europa.rs/images/publikacije/34-35_koraka_ka_EU.pdf [access: 5.02.2025].

Therefore, the political, social, and economic reality in Serbia motivates a careful consideration of all the issues related to Chapter 27. It seems that the general and professional public in our country is less concerned with the meaning of this segment of negotiations, because – sociologically and criminologically – their interests lie in groups of people who are often viewed as living on the margins of society, and the protection of quality of life as a distant echo of something that is clear to the public is an advantage of other chapters, such as Chapter 23 (justice and fundamental rights) or Chapter 24 (justice, freedom, and security). Secondary raw material collectors represent the paradigm of such a vision – especially regarding the objective measurement of quality of life – as a clear elaboration of solidarity, seen as one of the perspectives of the Universal Declaration of Human Rights.

The Ministry of European Integration and the Ministry of Environmental Protection provide up-to-date reports on their websites on all the steps taken by the Republic of Serbia in the opening and closing of Chapter 27. Now, Chapter 27 belongs to Cluster 4 – Green Agenda and Sustainable Connectivity.¹³

In public policy implemented in Serbia, the importance of passing a series of laws that enable the development of the green agenda and the application of adopted international norms is particularly emphasized.¹⁴ In 2007, the Law on Ratification of the Convention on Environmental Impact Assessment in a Transboundary Context (ESPOO Convention) was adopted.¹⁵ Many different laws have been adopted before and after the ratification of the ESPOO Convention, such as the Law on the Use of Renewable Energy Sources (*Zakon o korišćenju obnovljivih izvora energije*)¹⁶, the Law on Environmental Protection (*Zakon o zaštiti životne sredine*)¹⁷, the Law on Integrated Prevention and Control of Environmental Pollution (*Zakon o integrisanom sprečavanju i kontroli zagađi-*

¹³ Negotiating Position of the Republic of Serbia for the Intergovernmental Conference on Accession of the Republic of Serbia to the European Union for Chapter 27 – Environment and Climate Change, <https://www.mei.gov.rs/eng/documents/negotiations-with-the-eu/accession-negotiations-with-the-eu/negotiating-positions/chapter-27/> [access: 27.02.2025].

¹⁴ *Mapa dokumenata javnih politika Republike Srbije* [Map of Public Policy Documents of the Republic of Serbia], <https://rsjp.gov.rs/sr/sema-jp-mapa/> [access: 28.02.2025].

¹⁵ *Zakon o potvrđivanju Konvencije o proceni uticaja na životnu sredinu u prekograničnom kontekstu* [Act on the Ratification of the Convention on Environmental Impact Assessment in a Transboundary Context], Official Gazette of the RS – International Treaties, No. 102/2007.

¹⁶ *Zakon o korišćenju obnovljivih izvora energije* [Law on the Use of Renewable Energy Sources], Official Gazette of the RS, Nos. 40/2021 and 35/2023.

¹⁷ *Zakon o zaštiti životne sredine* [Law on Environmental Protection], Official Gazette of the RS, Nos. 135/2004, 36/2009, 36/2009 (amending law), 72/2009 (amending law), 43/2011 (Constitutional Court decision), 14/2016, 76/2018, 95/2018 (amending law) and 95/2018 (amending law).

vanja životne sredine)¹⁸, the Law on Packaging and Packaging Waste (Zakon o ambalaži i ambalažnom otpadu)¹⁹, the Law on Waste Management (Zakon o upravljanju otpadom)²⁰, the Water Law (Zakon o vodama)²¹, the Law on Land Protection (Zakon o zaštiti zemljišta)²², the Law on Protection Against Noise in the Environment (Zakon o zaštiti od buke u životnoj sredini)²³, the Law on Protection Against Non-Ionizing Radiation (Zakon o zaštiti od nejonizujućih zračenja)²⁴, the Air Protection Law (Zakon o zaštiti vazduha)²⁵, the Law on Climate Change (Zakon o klimatskim promenama)²⁶ and the Law on Protection of Nature (Zakon o zaštiti prirode)²⁷.

The concept and protection of biodiversity are specifically explained in the Law on Protection of Nature from 2009, which achieves the following goals:

- 1) protection, preservation, and improvement of biological (genetic, species, and ecosystem), geological, and regional diversity;
- 2) harmonization of human activities, economic and social development plans, and programs, foundations, and projects for the sustainable use of renewable and non-renewable natural resources and long-term preservation of natural ecosystems and natural balance;
- 3) sustainable use and/or management of natural resources and goods, ensuring their function while preserving natural values and the balance of natural ecosystems;
- 4) timely prevention of human activities and activities that can lead to permanent impoverishment of biological, geological, and landscape diversity, as well as disturbances with negative consequences in nature;

¹⁸ Zakon o integrisanom sprečavanju i kontroli zagađivanja životne sredine [Law on Integrated Prevention and Control of Environmental Pollution], Official Gazette of the RS, Nos. 135/2004, 25/2015 and 109/2021.

¹⁹ Zakon o ambalaži i ambalažnom otpadu [Law on Packaging and Packaging Waste], Official Gazette of the RS, Nos. 36/2009 and 95/2018 (amending law).

²⁰ Zakon o upravljanju otpadom [Law on Waste Management], Official Gazette of the RS, Nos. 36/2009, 88/2010, 14/2016 and 95/2018 (amending law).

²¹ Zakon o vodama [Law on Waters], Official Gazette of the RS, Nos. 30/2010, 93/2012, 101/2016, 95/2018 and 95/2018 (amending law).

²² Zakon o zaštiti zemljišta [Law on Soil Protection], Official Gazette of the RS, No. 112/2015.

²³ Zakon o zaštiti od buke u životnoj sredini [Law on Protection Against Noise in the Environment], Official Gazette of the RS, No. 96/2021.

²⁴ Zakon o zaštiti od nejonizujućih zračenja [Law on Protection Against Non-Ionizing Radiation], Official Gazette of the RS, No. 36/2009.

²⁵ Zakon o zaštiti vazduha [Law on Air Protection], Official Gazette of the RS, Nos. 36/2009, 10/2013 and 26/2021 (amending law).

²⁶ Zakon o klimatskim promenama [Law on Climate Change], Official Gazette of the RS, No. 26/2021.

²⁷ Zakon o zaštiti prirode [Law on Nature Protection], Official Gazette of the RS, Nos. 36/2009, 88/2010, 91/2010 (corr.), 14/2016, 95/2018 (amending law) and 71/2021.

5) determining and monitoring the state of nature.

Also, the Law mentions the word “biodiversity” only four times, defining biodiversity as biological diversity, which is the totality of genes, species, and ecosystems on Earth or in a clearly defined area. The Law prescribes the sustainable use of natural assets and/or resources, i.e., the use of components of biodiversity or geodiversity in a way and to an extent that does not lead to a long-term reduction of biodiversity, but maintains their potential to meet the needs and aspirations of current and future generations.

Three years ago, the website of the Government of the Republic of Serbia featured a text dated 18 January 2022, in which Prime Minister Ana Brnabić was quoted as saying that the “EU Green Agenda in Serbia” project will improve the quality of life of citizens in Serbia by improving the quality of air, water, and soil. Speaking at the event on the occasion of the project’s launch, Brnabić expressed her gratitude to the European Union, Sweden, and the UNDP for their partnership and financial support of EUR 8 million for the implementation of the project. The Prime Minister explained that the project will last until 2024 and will be aimed at improving the environment and green transition. On that occasion, she recalled that the two key priorities of the government of Serbia are the rule of law and the green agenda, which is the protection and improvement of the environment, and that the EU is our country’s main partner in these areas. When it comes to environmental protection, there are three main points: air quality protection, solid waste management, and watercourse protection, i.e., the construction of sewage networks and wastewater treatment plants.²⁸

All achieved or planned results in this area can be followed on the website map of the Ministry of Environmental Protection of the Republic of Serbia.²⁹

3. Balance between green criminology and ecology of crime

In criminology, criminal phenomenology is explained by questions about the dynamics of criminality, which link the changes in the extent of criminality, as a mass social phenomenon, in a certain period and in a certain space. In addition, it is possible to observe and statistically monitor the dynamics of individual forms of criminality: economic, political, property, environmental, or juvenile. These questions can also refer to the regional distribution of crime

²⁸ *Realisation of Project “EU for Green Agenda in Serbia” Begins*, <https://www.srbija.gov.rs/vest/en/183760/realisation-of-project-eu-for-green-agenda-in-serbia-begins.php> [access: 7.02.2025].

²⁹ *Home Page*, <https://www.ekologija.gov.rs/> [access: 17.02.2025].

(geography of crime), or the distribution of crime on a global and national scale, in certain jurisdictions, in cities and villages, or in certain parts of the city (ecology of crime).³⁰

The study of the regional characteristics of criminality is one of the most important areas of interest in criminal phenomenology.³¹ Traditionally, criminology in the socio-spatial sense includes two central issues: explaining the spatial distribution of delinquency and of delinquents. Also, in recent years, the study of the spatial distribution of anti-social behavior has been added to these topics,³² and along with the development of ecological awareness so has consideration of all issues surrounding the destruction of ecosystems. The characteristics of the distribution of crime in rural versus urban areas and the influence of local conditions on that distribution represent a special subject of research into the ecology of crime.³³ Today, green criminology and green victimology are also becoming increasingly important.

Empirical research shows that crime and delinquency increase with the process of urbanization. Illich³⁴ wrote that due to industrial development, many dangers threaten the modern city-dweller. Excessive industrial growth threatens people's right to exist in the environment in which they are born and threatens people's right to autonomy in action. The increasing impact of resource exploitation mechanisms threatens human heritage, which is composed of traditions, myths, languages, and rituals.

Apart from the phenomenological approach to the ecology of crime, in another important area of criminology – criminal etiology – ecological theory stands out as one of the basic etiological explanations within criminal sociology. Ecology is the study of the distribution of a phenomenon and its relationship to the environment. The ecological school in criminology tends to explain crime as a function of social change that occurs in accordance with changes in the environment. In other words, according to the definition written by Reid, the

³⁰ S. Konstantinović Vilić, V. Nikolić Ristanović, M. Kostić, *Kriminologija* [Criminology], Pelikan print, Niš 2009, p. 30.

³¹ Ibidem.

³² M. Maguire, R. Morgan, R. Reiner (eds), *The Oxford Handbook of Criminology*, Oxford University Press, Oxford 2007, p. 230.

³³ The term ecology is taken from the physical sciences and refers to the study of plant and animal organisms adapting to their environment. Cities are also distributed territorially according to the "natural order", through the processes of competition, invasion, and replacement, i.e., similar to those taking place in biological ecology. For more, see E. Gidens, *Sociologija* [Sociology], Ekonomski fakultet, Beograd 2005, p. 586.

³⁴ I. Illich, *Selbstbegrenzung* [Self-Limitation], Ronjohlt, Reinbek bei Hamburg 1980, p. 88; I. Cifrić, *Socijalna ekologija* [Social Ecology], Globus, Zagreb 1989, p. 104.

ecological school is an approach or teaching about the quantitative relationship between geographic phenomena and crime.³⁵

More than twenty years ago, in the year 2000 to be exact, a film that is often repeated today – *Erin Brockovich*, directed by Steven Soderbergh³⁶ – was shot and awarded an Oscar. A ray of light for the young single mother comes from the least expected source: a court settlement with a mega-corporation. After losing a court case, Erin Brockovich (Julia Roberts) takes a job as a receptionist for her lawyer, Ed Masry (Albert Finney). Erin soon discovers how dirty business is taking place in the small Californian town of Hinkley: a large company, Pacific Gas & Electric, is trying to cover up a large-scale environmental disaster in which the drinking water sources were completely contaminated, resulting in numerous illnesses among the local population. Step by step, Erin wins the townspeople over to her side and, having collected more than six hundred individual complaints, together with her lawyer employer initiates a lawsuit against the perpetrator. Today, with retrospection and introspection, the generations of those who watched the film at the time certainly viewed that achievement as an isolated case of the struggle to protect human health, not bringing up something that long ago was studied in criminology and victimology as a delinquent area, and even less under the umbrella of green criminology.

Nevertheless, green criminology, as a special branch of criminology, developed in the early 1990s from the framework of critical criminology in order to deal with the so-called green criminality: criminal acts and damages caused to the environment.

Human or social ecology describes the relationships between people who share the same habitat or local territory; these relationships are clearly related to the character of the territory itself. It is, in fact, learning about social structure in relation to the local environment.

In the criminological literature, there is a distinction, but also similarities, between green criminology and the delinquent area, that is, the ecology of crime. The focus of green criminology is on legal and illegal harm to the environment (ecosystems), people and animals. There is a subfield of criminology, commonly called environmental criminology, which examines the relationship between crime and place, or the geography of crime and criminal behavior. A simple example can explain the difference. An ecologically oriented criminologist would focus on why crimes occur in a particular location, for example, why

³⁵ See S.T. Reid, *Crime and Criminology*, McGraw-Hill, New York 2003, p. 120.

³⁶ Steven Soderbergh, in: *Britannica*, <https://www.britannica.com/biography/Steven-Soderbergh>, [access: 31.01.2025].

there are more car thefts in a particular neighborhood or street. Looking at the physical space, they would ask the following questions: Is there sufficient lighting on the street? Are there trees or bushes that hide the activities of car thieves from people living in the area? Are there ways to adapt the physical environment to reduce car theft, such as installing lighting or removing bushes? Can police patrols be increased to tackle this car theft “hot spot”? The focus would therefore be on preventing or reducing criminal activities through changing the physical environment.

Followers of green criminology would have a different focus in this situation. They would be concerned about the amount of light pollution that would be caused by installing brighter lights, as this may harm the movement and life cycle of nocturnal animals, and the damage caused by removing bushes and trees (which would be necessary to increase the visibility of vehicles and thus reduce the likelihood of car theft), as trees and bushes are important nesting sites for birds and contribute to clean air by sequestering carbon and producing oxygen. Green criminologists may agree that increased police patrols are a good policy to reduce neighborhood car crime, but would suggest bicycle patrols over typical police vehicles because they do not contribute to the atmospheric greenhouse effect and reduce environmental damage. They might also identify forms of social harm in a neighborhood that environmental criminologists are unlikely to consider: a factory that routinely discharges toxic waste into local waterways or a hazardous waste site located next to residential properties, for example. While the environment is a central concept in both green criminology and environmental criminology, sometimes very different aspects of it are in focus.³⁷

In this part of the paper, it is necessary to point out the concept of globalization. The use of the word “globalization”, in the everyday speech of citizens, government representatives, politicians, and scientists, often assumes the importance of a foothold for their argumentation. Sometimes, their initial starting points and the final conclusions they present, in an attempt to bring them together under the umbrella of globalization, get an extremely unfavorable outcome and sound contradictory. Therefore, consideration of the issue of globalization and globalization processes in the modern era requires an initial explanation, that is, the origin of this term.

Globalization is a process of interaction and integration between human beings, companies, and governments of different countries, a process that ta-

³⁷ G. Simmons, M. Vardy, R. Stevenson, *What is the Difference Between Green Criminology and Environmental Criminology?*, <https://kpu.pressbooks.pub/introcrim/chapter/13-2-what-is-the-difference-between-green-criminology-and-environmental-criminology/> [access: 28.02.2025].

kes place through international trade and investment, and which is supported by information technology.³⁸ The process of globalization affects the natural environment, culture, political systems, economic development and prosperity, and the physical well-being of people in societies around the world.

Globalization is not particularly novel. Thousands of years ago, first individuals and then companies bought and sold goods among themselves, in different countries and over long distances. For example, the movement of merchants on the Silk Road, which stretched across Central Asia and connected China to Europe during the Middle Ages, is still being studied today. Similarly, centuries ago, entrepreneurs and businesses invested in profitable businesses outside their home countries.³⁹

However, political and technological developments over the last few decades have encouraged growth in cross-border trade, investment, and population migration to such an extent that a qualitatively new phase in the development of human society is often discussed. Being in the world of globalization processes also means living in a global “risk society”. According to the interpretation of Giddens (2005), “it is not limited only to health and environmental risks – it includes a whole series of related changes in modern social life”, “so that its risks are not spatially, temporally or socially limited.”⁴⁰

There is no doubt that the process of globalization has affected all social flows, including crime. Its action is most noticeable in the development of new forms of criminality, which in many ways go beyond the national boundaries of states and acquire a supranational character. This includes, first of all, various forms of organized crime, which represent a kind of state violence and whose consequences are reflected in the systematic violation of human rights.

Gloomy legal texts overflowing with norms, an unsuspected selection of information on social networks that only a narrow circle of experts understands and knows how to devise strategies to make use of, do not find their way to ordinary citizens. Rather, a receptive explanation of the “butterfly effect” can be found in the domain of imagination. Perhaps this type of educational program could explain the following more simply, without going into the laws of physics: “Does it seem realistic to you that a butterfly flapping its wings in Serbia can cause a hurricane in America? The theory says that a small impact on one system can have large and unpredictable consequences elsewhere and at another time.”⁴¹

³⁸ *What is Globalization?*, <http://www.globalization101.org/what-is-globalization/> [access: 28.02.2025].

³⁹ Ibidem.

⁴⁰ E. Giddens, *Sociologija...*, p. 73.

⁴¹ N. Marković, *Efekat leptira – kako samo jedan zamah krila može izazvati uragan* [The Butterfly Effect – How a Single Flap of Wings Can Cause a Hurricane], <https://www.rts.rs/lat/magazin/>

4. Legal, public, and scientific interest in the preservation of biodiversity in Serbia

The slogan “Think globally, act locally” translated into Serbian can be found in many texts on the websites of domestic daily newspapers. By typing the keywords “think globally” in the archive of the daily “Politika”⁴², one finds as many as 110 articles dealing with the topic of ecology, going back to 2006, when the “Politika” online archive became available.⁴³ In addition, a few readers will be interested in researching the origin of this slogan, whose concept of urban planning exists in the book *Cities in Evolutions* by Patrick Geddes, from 1915.⁴⁴ It is even more interesting that the keyword “biodiversity,” in the same format of “Politika”⁴⁵, appears in the titles of as many as 136 articles published since 2006 – i.e., more often than the phrase “think globally...” However, in everyday communication, even in efforts to define criminological concepts – such as the emergence of environmental crime – the word “biodiversity” is not often used.

In the first quarter of the 21st century, there are still many who receive the news on 2 February that is, World Wetlands Day, along with an emblem picture; their interest in such information will last a very short time. Most of the consumers will forget about it very quickly – or will remember it for a moment if similar news is repeated on the same or another media channel. The smallest coverage of the citizenry receiving similar information will not lead to a con-

nauka/4794269/efekat-leptira--kako-samo-jedan-zamah-krila-moze-izazvati-uragan.html [access: 27.02.2025].

⁴² “Politika” is the oldest Serbian national daily newspaper. “Politika” is an irreplaceable historical source of knowledge about the history and culture of the people in the Balkans. The first issue was published on 12 January 1904 and it has been in circulation ever since (except during the First and Second World Wars).

⁴³ On 25 January 2024, the daily newspaper “Politika” marked its 120th anniversary of the first issue being published in 1904. Relying on the history, importance, and influence of “Politika”, the research investigated the newspaper articles published online. This study used the “Politika” online archives, which date back to 2 July 2006. The “Politika” online archives are available via the “Politika” website. See *Arhiva* [Archive], <https://www.politika.rs/scclanci/arhiva> [access: 24.02.2025].

⁴⁴ P. Geddes, *Cities in Evolutions*, Williams, London 1915, <https://archive.org/details/citiesinevolution00gedduoft/page/12/mode/2up> [access: 24.02.2025]. It has been a long journey from the beginning of the 20th century until now. For example, look today at the site “Friends of the Earth” – *Home Page*, <https://www.foei.org/> [access: 24.02.2025].

⁴⁵ It is impossible to conduct research on media reporting on various social phenomena without referring to newspaper articles published in “Politika”; N. Trklja, *Uticajna stara dama* [The Impactful Old Lady], <https://www.politika.rs/scclstranica/4/O-nama> [access: 24.02.2025].

nection with organized crime, for example, or some other criminal activity or even with the process of victimogenesis or other unimportant ones, or more precisely, something that has no immediate connection with their daily life.

Who is dealing with the wetlands, for example, when both domestic and world news is so filled with wars, demonstrations, changing world order, or – most recently – a trade war initiated by the USA.⁴⁶ In the criminological research methodology, it would be interesting to ask the citizens about biodiversity, for example, to ask the citizens of Serbia whether they know that back in 1977, during the time of the SFRY, the country ratified the Convention on Wetlands of International Importance, especially as habitats for wetland birds⁴⁷, which was adopted in Ramsar, Iran, on 2 February 1971.⁴⁸ The hypothesis would be that they know nothing about it.

Despite several examples of good practice, nature protection in Serbia, and in the region, encounters numerous obstacles and problems. Environmental crime is often perceived as a petty crime, instead of a serious crime against our future. The mere criminalization of environmental crimes does not represent a guarantee of adequate criminal protection. The key words are “prevention” and “sanctions”, as well as “education” of the citizens.

About 44,200 species and subspecies are officially registered in Serbia, but many groups of organisms have not been sufficiently researched, and it is believed that there are more of them, about 60,000. The Institute for Nature Protection of Serbia marked 75 years of work with its “Voice of Nature” exhibition, which it organized with the Gallery of Science and Technology SANU, under whose roof on Đure Jakšića Street it was presented. The creators were Jelena Kovačević and Jovana Ilić. Until 2 of September 2024 visitors could see a variety of multimedia materials about the natural heritage of our country and its institutional protection. Unique landscape values, as well as biodiversity and geodiversity, were presented in the form of video presentations linked to geographical representations of protected areas and species. Exhibits from the institute’s geological collection, archival photos, and audio footage on the topic

⁴⁶ K. Herchenroeder, *Trump Kicks off Trade War by Slapping Tariffs on Mexico, Canada, and China*, <https://www.vanityfair.com/news/story/trump-tariffs-mexico-canada-china-trade-war?srlti-d=AfmBOop76c6hRtvbJsZmzfplk02kfVhqCeI2lB2xbk2Wi2EDALQ08W8I> [access: 3.02.2025].

⁴⁷ Uredba o ratifikaciji Konvencije o močvarama koje su od međunarodnog značaja, naročito kao staništa ptica močvarica [Decree on the Ratification of the Convention on Wetlands of International Importance Especially as Waterfowl Habitat], Official Gazette of the SFRY – International Treaties, No. 9/1977.

⁴⁸ Ramsar Convention on Wetlands of International Importance Especially as Waterfowl Habitat of 2 February 1971, <https://www.ramsar.org/> [access: 12.02.2025]

of plant world communication are also attracting attention, and visitors can watch a film that bears the same name as the exhibition.

But the fight for biodiversity is not only against criminal activity. Albert Einstein once said: "There is more perfection in a drop of water than in any machine made by man".

Bibliography

Legal acts

Ramsar Convention on Wetlands of International Importance Especially as Waterfowl Habitat of 2 February 1971, <https://www.ramsar.org/> [access: 12.02.2025].

Uredba o ratifikaciji Konvencije o močvarama koje su od međunarodnog značaja, naročito kao staništa ptica močvarica [Decree on the Ratification of the Convention on Wetlands of International Importance Especially as Waterfowl Habitat], Official Gazette of the SFRY – International Treaties, No. 9/1977.

Zakon o potvrđivanju Konvencije o biološkoj raznovrsnosti [Act on the Ratification of the Convention on Biological Diversity], Official Gazette of the FRY – International Treaties, No. 11/2001.

Zakon o zaštiti životne sredine [Law on Environmental Protection], Official Gazette of the RS, Nos. 135/2004, 36/2009, 36/2009 (amending law), 72/2009 (amending law), 43/2011 (Constitutional Court decision), 14/2016, 76/2018, 95/2018 (amending law) and 95/2018 (amending law).

Zakon o integrisanom sprečavanju i kontroli zagađivanja životne sredine [Law on Integrated Prevention and Control of Environmental Pollution], Official Gazette of the RS, Nos. 135/2004, 25/2015 and 109/2021.

Krivični zakonik Republike Srbije [Criminal Code of the Republic of Serbia], Official Gazette of the RS, Nos. 85/2005, 88/2005 (corr.), 107/2005 (corr.), 72/2009, 111/2009, 121/2012, 104/2013, 108/2014 and 94/2016.

Zakon o potvrđivanju Konvencije o proceni uticaja na životnu sredinu u preograničnom kontekstu [Act on the Ratification of the Convention on Environmental Impact Assessment in a Transboundary Context], Official Gazette of the RS – International Treaties, No. 102/2007.

Zakon o ambalaži i ambalažnom otpadu [Law on Packaging and Packaging Waste], Official Gazette of the RS, Nos. 36/2009 and 95/2018 (amending law).

- Zakon o upravljanju otpadom [Law on Waste Management], Official Gazette of the RS, Nos. 36/2009, 88/2010, 14/2016 and 95/2018 (amending law).
- Zakon o zaštiti od nejonizujućih zračenja [Law on Protection Against Non-Ionizing Radiation], Official Gazette of the RS, No. 36/2009.
- Zakon o zaštiti vazduha [Law on Air Protection], Official Gazette of the RS, Nos. 36/2009, 10/2013 and 26/2021 (amending law).
- Zakon o zaštiti prirode [Law on Nature Protection], Official Gazette of the RS, Nos. 36/2009, 88/2010, 91/2010 (corr.), 14/2016, 95/2018 (amending law) and 71/2021.
- Zakon o vodama [Law on Waters], Official Gazette of the RS, Nos. 30/2010, 93/2012, 101/2016, 95/2018 and 95/2018 (amending law).
- Zakon o zaštiti zemljišta [Law on Soil Protection], Official Gazette of the RS, No. 112/2015.
- Zakon o klimatskim promenama [Law on Climate Change], Official Gazette of the RS, No. 26/2021.
- Zakon o korišćenju obnovljivih izvora energije [Law on the Use of Renewable Energy Sources], Official Gazette of the RS, Nos. 40/2021 and 35/2023.
- Zakon o zaštiti od buke u životnoj sredini [Law on Protection Against Noise in the Environment], Official Gazette of the RS, No. 96/2021.

Official documents

- Stabilisation and Association Agreement, <https://www.mei.gov.rs/eng/serbia-and-eu/stabilisation-and-association-agreement/> [access: 26.02.2025].
- Negotiating Position of the Republic of Serbia for the Intergovernmental Conference on Accession of the Republic of Serbia to the European Union for Chapter 27 – Environment and Climate Change, <https://www.mei.gov.rs/eng/documents/negotiations-with-the-eu/accession-negotiations-with-the-eu/negotiating-positions/chapter-27/> [access: 27.02.2025].

Publications

- Cifrić I., *Socijalna ekologija* [Social Ecology], Globus, Zagreb 1989.
- Geddes P., *Cities in Evolution*, Williams, London 1915, <https://archive.org/details/citiesinevolutio00gedduoft/page/12/mode/2up> [access: 24.02.2025].
- Gidens E., *Sociologija* [Sociology], Ekonomski fakultet, Beograd 2005.
- Illich I., *Selbstbegrenzung* [Self-Limitation], Rowohlt, Reinbek bei Hamburg 1980.
- Konstantinović Vilić S., Nikolić Ristanović V., Kostić M., *Kriminologija* [Criminology], Pelikan print, Niš 2009.

- Maguire M., Morgan R., Reiner R. (eds), *The Oxford Handbook of Criminology*, Oxford University Press, Oxford 2007.
- Marković J., Petrović V., *Razumevanje ljudskih prava – priručnik o obrazovanju za ljudska prava* [Understanding Human Rights – Manual on Human Rights Education], Ministarstvo za ljudska i manjinska prava Srbije i Crne Gore, Beograd 2003, <http://www.bgcentar.org.rs/bgcentar/wp-content/uploads/2013/04/razumevanje-ljudskih-prava.pdf> [access: 25.02.2025].
- Morris T., *The Criminal Area*, Routledge, London 1971.
- Pečar J., *Ekološka kriminaliteta in kriminologija* [Environmental Crime and Criminology], "Revija za kriminalistiko in kriminologijo" 1981, vol. 32, no. 1, p. 33–45.
- Pregovaračka poglavlja. 35 koraka ka Evropskoj uniji* [Negotiation Chapters. 35 Steps Towards the European Union], EU Information Centre in Belgrade, Belgrade 2014, https://europa.rs/images/publikacije/34-35_koraka_ka_EU.pdf [access: 5.02.2025].
- Reid S.T., *Crime and Criminology*, McGraw-Hill, New York 2003.

Internet sources

- Arhiva* [Archive], <https://www.politika.rs/scc/clanci/arhiva> [access: 24.02.2025].
- Biodiverzitet Srbije*, [Biodiversity of Serbia], <https://ekologika.rs/vesti/srbija/infografika-u-srbiji-ugrozeno-270-zivotinjskih-vrsta/> [access: 27.02.2025].
- Crnobrnja S., *Globalno oćajanje* [Global despair], <https://magazin.politika.rs/sr/clanak/571228/globalno-ocajanje> [access: 24.02.2025].
- Herchenroeder K., *Trump Kicks off Trade War by Slapping Tariffs on Mexico, Canada, and China*, <https://www.vanityfair.com/news/story/trump-tariffs-mexico-canada-china-trade-war?srsId=AfmBOop76c6hRtvb-JsZmzfplk02kfVhqCeI2lB2xbk2Wi2EDALQ08W8I> [access: 3.02.2025].
- Home Page*, <https://www.ekologija.gov.rs/> [access: 17.02.2025].
- Home Page*, <https://www.foei.org/> [access: 24.02.2025].
- Mapa dokumenata javnih politika Republike Srbije* [Map of Public Policy Documents of the Republic of Serbia], <https://rsjp.gov.rs/sr/sema-jp-mapa/> [access: 28.02.2025].
- Marković N., *Efekat leptira – kako samo jedan zamah krila može izazvati uragan* [The Butterfly Effect – How a Single Flap of Wings Can Cause a Hurricane], <https://www.rts.rs/lat/magazin/nauka/4794269/efekat-leptira--kako-samo-jedan-zamah-krila-moze-izazvati-uragan.html> [access: 27.02.2025].

- Projekat Jadar – pitanja i odgovori* [Jadar Project – Questions and Answers], <https://www.mre.gov.rs/tekst/sr/6831/projekat-jadar-pitanja-i-odgovori.php> [access: 24.02.2025].
- Realisation of project “EU for Green Agenda in Serbia” begins*, <https://www.srbija.gov.rs/vest/en/183760/realisation-of-project-eu-for-green-agenda-in-serbia-begins.php> [access: 7.02.2025].
- Simmons G., Vardy M., Stevenson R., *What is the Difference Between Green Criminology and Environmental Criminology?*, <https://kpu.pressbooks.pub/introcrim/chapter/13-2-what-is-the-difference-between-green-criminology-and-environmental-criminology/> [access: 28.02.2025].
- Steven Soderbergh, in: *Britannica*, <https://www.britannica.com/biography/Steven-Soderbergh> [access: 31.01.2025].
- Trklja N., *Uticajna stara dama* [*The Impactful Old Lady*], <https://www.politika.rs/scc/stranica/4/O-nama> [access: 24.02.2025].
- What is Globalization?*, <http://www.globalization101.org/what-is-globalization/> [access: 28.02.2025].