

## Chapter 1

# INTRODUCTION

In Shakespeare's play, "The Winter's Tale," a king in a distant land exiles his unwanted infant daughter to the desert seashore of Bohemia. The King of Sicily shipped off the unwanted Perdita to try to rid himself of problems at home. Bohemia, of course, has no coastline – it is a landlocked province in what is today the Czech Republic. And yet there is evidence that, especially since European enlargement in 2004, a new kind of detritus is washing up on the coasts of Bohemia. Unwanted waste is being shipped long distances from Germany and has been found littering Czech farm fields. Like the Sicilian king of old, Germans today wish to be rid of inconvenient byproducts of their lifestyle. Their search for an expedient solution has literally littered the figurative Czech shoreline, the borderlands of Bohemia.

Solid waste management has become one of the most urgent environmental problems of modern societies in Europe and around the globe. While other environmental concerns like climate change often grab media headlines, quietly and in the background the problem of managing ever-increasing amounts of municipal waste has affected countless communities across Europe. It has also raised questions of environmental justice as communities with excess waste seek quick, simple, and cheap ways to dispose their garbage, even if the means are illegal and harm others.

Since 2005, Czech authorities have documented at least 30,000 metric tons of waste found in Bohemian settings that allegedly originated in Germany. To some, 30,000 tons of waste may not sound very significant, compared to the waste management issues faced by the world's great metropolises, such as New York City, where the Department of Sanitation collects 12,000 short tons of municipal waste every day (DSNY 2007:6). But for the Czech communities involved, having hundreds of truckloads of German waste deposited across the landscape is no small matter. Not only is it an affront to international law, the value of neighborliness in a unified Europe, and respect for nature, but research shows that a certain percentage of municipal waste is typically hazardous in character – meaning that people in the target areas may be exposed to dangerous substances. Moreover, this is only the quantity of waste that has been discovered so far. Smuggling attempts continue to this day, and more dumps may be discovered. With the accession of the Czech Republic and other nations to the Schengen agreement in December 2007, which ended all border checks between the country and its EU neighbors, experts anticipated illegal waste shipment to get worse around Europe.

More fundamentally, the Czech case points to structural obstacles to effective environmental protection in the European Union. The phenomenon of illegal waste trafficking highlights practical challenges to making and enforcing effective policies, and reveals the conflicting priorities in Europe regarding the role of the state in promoting environmental quality. Therefore, this book takes the incidence of illegal waste transport into the Czech Republic as its starting point. It describes the problem in as much detail as possible, pulling together evidence from a wide range of sources to present a comprehensive account of the problem. The book then explores the institutional context of the problem, including a review and analysis of relevant policies at the national and international levels, which includes an investigation of the history of illegal municipal solid waste shipments in Europe. We discover that the contemporary problems

in the Czech Republic are not unprecedented, and that in fact waste has been exported illegally from Germany for many years due to systemic problems in that country's implementation of increasingly strict waste management rules. The Czech case study thus opens up a broader analysis of the structural features of European waste management policies to understand how their strengths and weaknesses contributed to this particular problem.

To understand the origins of these issues, and begin to consider possible practical solutions, the environmental sociological Treadmill of Production (ToP) theory is applied to the problem of illegal waste transport. Empirical evidence is used to test the relevance and efficacy of the Treadmill of Production conceptual framework to interpreting this kind of social-environmental conflict in Central Europe. While ToP theory originated in North America and has been extensively applied and theorized in that context, it has rarely been applied to the study of social-environmental problems in Europe.

ToP theory examines the tensions between social institutions and actors – focusing on interactions between the state, labor, and economic interests, such as firms and investors – and the ecological impacts of modern social organization. The theory provides a critical political economic interpretation of the tendency for economic activity to harm the environment, theorizing that capitalist ideology and practices create an “enduring conflict” between society and nature. The logic of capitalism, which leads the state and private interests to promote economic growth, is commonly given priority over environmental protection. The political-economic structure is likened to a treadmill, with society pursuing ever-increasing economic expansion at the expense of environmental quality.

The basic proposition considered in this book, based on Treadmill of Production theory, is that structural political and economic factors have created incentives for waste smuggling and have contributed to creating conditions in which illegal waste shipment is feasible and profitable. More detailed and specific hypotheses are derived from ToP theory and are evaluated using empirical evidence. The book concludes, at the macro level, that the logic of economic growth results in the production of ever-increasing amounts of municipal waste, and the attempt in Germany to protect the environment through strict waste management rules has had the unintended consequence of that country exporting environmental risk in the form of illegal waste shipments to its eastern neighbors. This experience with illegal waste transports reveals the limitations of state control over commercial activity – whether legal or illegal – that threatens the environment. This weakness is due largely to the influence of powerful political and economic forces.

## ENVIRONMENTAL JUSTICE

One of the most important contributions of ToP theory to the study of environmental problems is its focus on environmental justice. Ecological problems are social problems, and quite often are caused or exacerbated by economic and political inequalities. Pellow, Schnaiberg, and Weinberg (2000:111) state, “We argue that any social theory that purports to account for social processes has to incorporate issues of social equity and political-economic power.” One way to interpret the waste shipment issue is in terms of the disparity of wealth and power between Germany and the Czech Republic. German waste exporters can be seen as exploiting their eastern neighbor's economic and institutional weaknesses. Ultimately, the Czech experience of illegal waste transport raises questions of sustainability and environmental justice. Clearly the uncontrolled dumping of German waste in Bohemia is environmentally unsustainable and violates principles of social justice by putting local populations at risk.

The EU Waste Shipment Regulation, which is discussed in detail in Chapter 3, is quite clear about which party bears responsibility for such shipments. In cases of international transport, the notifier (the entity sending the waste) is liable for the proper treatment or disposal of its waste. Where waste in Czech dumps can be proven to be German, the producer must take it back. If the original producer cannot be identified specifically, the German state must take responsibility.

There is another side to the justice issue, though. Analysis of this case must consider not only the fact that the waste was of German origin, but that the people who dumped the waste are believed to have been mainly Czech. Thus, this is not a simple black-and-white case of environmental injustice with a large, wealthy nation taking advantage of its smaller, less wealthy neighbor. Elements from within Czech society contributed to the problem. For example, in early 2006, just as the issue was coming to light, Czech Environment Minister Libor Ambrozek initially blamed the problem on Czechs who helped Germans bring the waste into the country. “German businessmen often do not know that they are sending waste to the Czech Republic at variance with law,” he said (ČTK 2006e).

In his study of environmental justice and conflicts over waste management in the city of Chicago in the USA, Pellow (2002) discovered a long history of illegal dumping in various neighborhoods of the city, mainly in poor areas and in communities of racial or ethnic minorities. In his research, he found four major factors that needed to be investigated to get an in-depth understanding of the problem of “fly-tipping,” or illegal dumping, in the neighborhoods. First, he said a historical perspective was imperative to put contemporary illegal activity in context. Second, it was important to get a clear sense of all the different stakeholders involved and the roles they played in the problem. To do this, Pellow documented the waste-related activities of the local residents, along with corrupt local politicians, the waste hauling companies, the news media, many offices at various levels of government, the judicial system, community leaders such as the clergy and civic organizations, and law enforcement. Third, Pellow said that institutional racism was an important factor in the problem of illegal dumps being located in poor and minority neighborhoods. While racism may not be a factor in the Bohemia dumps phenomenon, it is still a region poorer than its German neighbor, so the existence of forms of institutional exploitation may be worth examining. Also, the Slavs of the Czech Republic are ethnically distinct from Germans, and this difference might be at least a subconscious aspect of the issue. Finally, Pellow found that the experience of illegal dumping was frequently a defining moment for the mobilization of community groups to take action on an environmental issue. A common theme in the illegal dumping, he found, was the corruption of local politicians and collusion by individuals – and it is an open question to what degree such a pattern exists in Bohemia, as well.

The problem of illegal dumping in Bohemia, while it may not have a racial dimension, clearly has an environmental justice dimension. In his study, Pellow (2002:89) found that problems of fly-tipping and environmental justice are “much more complex than simply a scenario wherein a polluter targets a community for waste dumping, unloads the garbage, and moves on. In fact, several stakeholders within and outside these communities had much to gain and lose over the struggle against [waste haulers] and garbage dump operators and ‘recyclers.’”

Pellow likens environmental injustice to a form of colonization. Just as during the historical colonization by Europeans of much of the world, today’s waste smugglers “can almost always find local leaders to support even the most egregious violations of human rights” (2002:84). Environmental injustice erodes community solidarity and undermines democracy and confidence in government. From a sociological perspective, it would be useful to learn if such

a scenario has been playing out in the Bohemian towns and villages where “black dumps” have been discovered, but evidence of such “colonization” is practically non-existent. Locals apparently did not take a very active role in discovering and fighting against illegal dumping in their region.

There are environmental justice dimensions to the legal waste trade and Europeanization (the process of the expansion and development of EU institutions, including integration of Eastern European nations), as well. Gille (2000; 2004) has been critical of changes in the Hungarian waste sector in the twenty years since the end of communism. Gille (2004) makes an argument somewhat similar to the one made here, that Europeanization has both facilitated and undermined sustainability goals. She concludes that the EU sent “mixed messages” to Hungary and other candidate countries about how to improve their waste sectors before accession: “Officially, the EU stands for preventative policies, primarily waste reduction and secondarily reuse. In practice, however, its economic constituents as well as its aid encourage remedial end-of-pipe technologies, such as waste dumps and incinerators” (p. 115). But not only that, in her analysis EU policies create a tension between values of environmental protection and economic growth: “On the face of it, the EU is for preventative waste policies and is concerned about the environmental effects of economic growth. ... However, in terms of actual practices, particularly investments and economic and infrastructure requirements, the EU stands for unsustainable development and for putting economic interests before environmental interests” (p. 131).

In Gille’s (2000) view, part of the Europeanization process involved the pressuring of Central and Eastern European (CEE) countries by the wealthier EU nations to abandon their existing waste prevention practices and instead adopt the Western consumerist lifestyle and related approaches to waste management. She argues that after 1989, as the country transitioned from communism and sought EU membership, Hungarian environmental discourse came to focus on privatization and marketization, thus promoting treadmill interests and undermining sustainable development. She expresses concern about the influx of expensive foreign waste treatment technologies, such as incineration, which was pushed by international investors, who were attracted by the possibility of a lucrative market for processing waste imported from the West (p. 221). Between 1988 and 1996, 187 incinerator plants were proposed to be constructed in CEE – and 93 percent of the capacity was to be constructed by Western firms (p. 222). In the 1990s, the Hungarian waste sector moved away from the recycling and reuse strategies of state socialism toward marketized waste treatment. The expanding consumer society was generating increasing quantities of waste, and the expectation of waste imports from the West influenced development of the waste sector.

## METHODS OF RESEARCH AND ANALYSIS

The research presented in this book was motivated by a policy issue with acute social and environmental impacts, namely the illegal transport and dumping of waste from Germany to the Czech Republic. This is a problem-driven study grounded in empirical research intended to contribute to environmental sociology by testing Treadmill of Production theory. The research has sought to present evidence which can be used to understand why the waste is being shipped from Germany to the Czech Republic, and to help identify solutions to the problem. To these ends, the inquiry first focused on finding factual information about the situation. This involved the analysis of English-, Czech- and German-language resources such as newspaper and television reports, government statements and press releases, and contact with international

experts. After getting a clearer picture of the problem in the Czech Republic, the research then focused on understanding the larger political, social, and economic contexts for the illegal activities. This involved studying government and private-sector waste management policies and practices. The main guiding principal for the methodology was to find accurate data from credible sources that would shed light on the situation.

The analysis is based on a number of methods and sources, including books and articles about waste management and transport; news media reports; written documents from sources including governmental and non-governmental organizations; interviews with Czech government officials and other experts; communication with officials in other countries; and information gained from attending professional and academic conferences.

Waste management is a topic that has not been thoroughly researched and theorized by social scientists, so there is not a very big body of social scientific literature dedicated to the topic. However, books such as Porter's *The Economics of Waste* (2002), Ackerman's *Why Do We Recycle?* (1997), and several ToP-inspired books about recycling (e.g., Pellow's *Garbage Wars* [2002] and Weinberg et al.'s *Urban Recycling and the Search for Sustainable Community Development* [2000]) have started to develop the field. There are other books about political economy, consumerism, and materials flows in the economy that are relevant to studying waste and society. Also, just as the Czech waste problem arose there were a number of popular books published in the English-speaking world exploring the relationship of modern society with its waste, including Girling's *Rubbish!* (2005), Royte's *Garbageland* (2005), and Rogers' *Gone Tomorrow: The Hidden Life of Garbage* (2005). Academic articles provided information ranging from economic studies of the impact of waste treatment facilities on local land values to technical treatises on landfill design and the ecological risks of different waste treatment techniques, as well as analyses of existing and proposed waste management policies.

This project began as a reaction to the mass media reports on the problem of illegal dumps in Bohemia that allegedly contained waste originating in Germany. The issue received relatively intense Czech media attention in early 2006. Media sources consulted for this research included the Czech Press Agency (ČTK) and the *Prague Post* newspaper, along with other new services such as the online *Prague Daily Monitor* and Czech Radio. These were sought out primarily on the Internet. Although the news media presented only a patchwork of data about the situation, taken together it provided some of the only on-the-ground perspectives available and in English. By collecting virtually every news report about the events at that time, this book presents perhaps the most complete picture of what was happening based on English-language sources. For example, when given the list of dumps as compiled from a number of media reports (depicted in Map 2), officials at the Czech Environmental Inspectorate said they had never seen such a comprehensive list before. Of course, there are drawbacks to using the news media as a source, because the articles may provide unclear or uncorroborated information. But this was an important resource for understanding events as they were taking place.

The study sought to clarify and contextualize the data by seeking out the opinions and insights of a number of key players in the enforcement of environmental law and investigation of the illegal dumping. This involved the use of the method of key informant interviewing. The interviews were conducted in a semi-structured manner, both in person and via e-mail. The interviews covered topics such as background information about and interpretations of relevant policies, the nature of the crimes of illegal shipment and dumping, the roles of different authorities in the enforcement and investigation processes, and about waste management and environmental protection in general.