



### **Special communication on the occasion of Earth Day 2022**

In line with The Earth Day theme for 2022 **“Invest In Our Planet”**, the European Forum for Restorative Justice working group on Environmental Restorative Justice (ERJ) would like to introduce what ERJ is. ERJ promotes forms of dialogue within communities and between individuals that need help to act together to “preserve and protect our health, our families, our livelihoods” and to create “a partnership for the planet” in which “everyone [is] accounted for, and everyone [is] accountable” (<https://www.earthday.org/earth-day-2022/>).

As a form of Restorative Justice applied to environmental harm, ERJ focuses on healing the damage perpetrated against the environment due to a crime or other harmful behaviour or omission. The approach of ERJ is based on recognising the essential aspects of what happened (often going beyond legal definitions), identifying all those harmed by crime (both human and other-than-human beings), and ensuring accountability for those responsible for the harm. ERJ enables all stakeholders “if they freely consent, to participate actively in the resolution of matters arising from the offence, through the help of a trained and impartial third party (... the “facilitator”)” (Council of Europe CM/Rec(2018)8 par. 3).

ERJ allows people and communities affected by environmental damage to not only highlight the objective damage suffered, but also to express their sorrow and, in general, their feelings about the harm caused to their living environment. This opens up possibilities of holding those who have caused harm accountable not only to the law but also and above all, to the inhabitants of the damaged environment. In addition, the framework of ERJ addresses the problem of ascertaining and assessing environmental damage not only on the basis of objective, material, and economic indicators but by fully taking into account the consequences, concerns, needs, and wishes of individuals and communities living in the damaged environment, as well as the consequences for future generations.

This comprehensive restorative approach opens the door to repairing environmental damage in ways co-designed by the community concerned. This can enhance - even after the harmful event - the identity and cultural ties that individuals and populations experience with their environment.

While recognising the needs and consequences at all levels of victimisation, including the whole ecosystem, the emphasis on deep listening and personal participation means that ERJ processes also have the capacity to invoke a sense of responsibility in the offender, even if the offender is a corporation. This contributes to the prevention of future crime and damage to the environment.

The European Forum for Restorative Justice promotes research and the development of innovative practices in the field of Environmental Restorative Justice through this specific working group, more details of which can be found here

(<https://www.euforumrj.org/en/call-new-working-group-environmental-restorative-justice#:~:text=In%20practical%20terms%20the%20working%20group&text=Works%20to%20develop%20a.meetings%20and%20exchange%20of%20emails.>).