



LIFE14 GIE/UK/000043



European Network of Prosecutors for the Environment - ENPE

**Meeting of the Board of Directors
06 December 2019 10.30hrs – 11.30hrs (CET)
Teleconference**

Present: Anne Brosnan (EA, England Chair); David Smith (EPA, Ireland); Lars Magnusson (REMA, Sweden); Rob de Rijck (FP, Netherlands); Antonio Vercher Noguera (State Attorney General's Office, Spain)

Guests: Shaun Robinson (EA, Secretariat); Peter Ashford (EA)

10.30 hrs - 11.30 hrs (CET)

Minutes

AB opened the meeting – no formal apologies had been received, although J-P R was not attending.

1.0 Minutes from last Board meeting (29/07/19) & AGM (29/10/19)

AB took us through the minutes from the last meeting. It was noted that the new ENPE members had all attended the 2019 annual conference in The Hague.

All present approved the minutes. There were no matters arising. All Actions were complete.

2.0 Officer reports

- ENPE President update

AB reminded the Board of the main points from her President's report she had provided from the AGM in The Hague on 29.10.19.

- ENPE Secretary update

No further updates from LM.

- ENPE Treasurer Role update

AB asked DS about the possibility of co-opting Aisling Kelly (Irish DPP) on to the Board. Would this cause any difficulties, given EPA (DS) is a Board member?

DS said this would not cause any problems. DS would contact her directly.

NEW ACTION – DS to contact Aisling to discuss ENPE Treasurer role.

New Member applications:

- Interest from: Ukraine; Morocco (Observer)
- New applicants (post-conference) from EJ contact list (ongoing)



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SR updated on this. RdR asked whether it was organisations or individuals that wanted to join? SR said it was organisations although he would check when the documents came back in.

RdR asked whether Aisling Kelly could be a Director if she were to take on the Treasurer role? PA clarified that she could as long as her organisation is able to be a member.

There followed a discussion on Ukraine and its status Re: eligibility for full membership? PA clarified around the wider considerations around countries that were members of e.g. EFTA if not EU. An approved prosecuting organisation from Ukraine, at present could not be full members but could be Observers.

3.0 ENPE aisbl: Post Brexit and The 'After-Life'

1) ENPE aisbl Changes in Governance & secretariat

- Role of UK/ EA

AB provided an overview of the current situation. Still uncertain. SR updated on the timing for LIFE-ENPE reporting. Sept 2020 is currently the most likely 'cut-off' date for reporting, although the project finishes formally on July 17 2020 (Expected end date).

After-LIFE report is important. Arrangement Post-Life will determine the extent and form of ENPE activities.

- New President

AB noted that RdR was considering taking on the Presidency of ENPE. RdR explained that this was not yet confirmed, although he was working with his bosses on it. AB said the delay in Brexit means that this issue was less pressing

It was agreed that all of the above (i.e. both points) would be kept under review and reported on further at the Genval workshop at the end of March 2020.

2) ECA update & FPA application – PA Paper & feedback from 27 November meeting (RdR/ SR & paper)

SR updated. FPA application (non-financial) had been submitted in draft to DG ENV for ENPE. DG ENV had acknowledged this.

A new arrangement would need to be signed off before any further discussions and FPA submissions can take place. New MFF requires new FPA templates under the new Commission. Formal negotiations can then commence. Earliest funding would be available from Jan 2021 (following an application made at end of 2020).

Discussions with DG ENV on this should take place before Summer 2020.



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Extension of LIFE-ENPE was suggested as an option to 'tide us over' until early 2021.

IMPEL (via Kristina Rabe – new Chair) had mentioned the possibility of a joint application. AB noted that this had not been considered by the Board in particular due to the issue around Joint and Several Liability which remains an issue. PA noted it was also a concern for IMPEL.

NEW ACTION – SR (ENPE) will start the dialogue with Joachim and set up a meeting teleconference with DG ENV to open discussions

PA introduced his future funding paper. Options for funding ENPE's activities were presented. This included Life funding. Eligibility under the Life programme would still be possible.

AB underlined that there was still opportunity to apply for Life funding (EA). AB asked around the group whether the Director's organisations were still able to participate in ENPE. All agreed that the views were positive.

AB thanked PA for his paper. It was agreed that the paper could be presented to the Life team via Chris People, following a teleconference with him and SR.

NEW ACTION – SR and PA to discuss with NEEMO, and if agreed, present the paper on future ENPE funding to the Life programme.

- 3) Collaborative projects (SWIPE; Justice for Wildlife; BIOVAL; RfH II) – Board decision needed
 - SWIPE – latest (paper)
 - Justice for Wildlife (partner NB not successful)
 - BIOVAL (project partner/ co-financier?)
 - Reason for hope II (contractor)

SR updated on this. PA had produced a paper that had been shared. AB suggested that we discuss it in the LIFE-ENPE Board meeting. PA would update then (1st item on LIFE-ENPE Board agenda).

4.0 Feedback from conferences, seminars, workshops attended/ forward look to those forthcoming:

- EUFJE Annual Conference – Helsinki; 13-14 September 2019
- BIOVAL kick off meeting – Brussels; 27 September 2019
- NEEL meeting – Helsinki; 27 September 2019 (Heidi Nummella)
- Paacto conference – Lima; 09-12 October 2019 (AV)
- ENPE & EUROJUST conference, The Hague; 28-30 October 2019
- IMPEL GA – Helsinki; 18-20 November 2019

Forward Look

- UN Climate Change COP25 conference; Madrid 13 December 2019
- LOT 4 Partners EJTN Annual Meeting; Brussels, 29 January 2020
- CMS COP13; Gandhinagar, India, 17-22 Feb 2020
- ERA Waste Crime workshop, Trier, 09-11 March 2020
- INECE conference; Adelaide, Australia, 10-13 March 2020
- WasteForce Munster, Germany, March 2020



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- ENPE Benefits Realisation workshop, Genval, Belgium, 26-27 March 2020
- ERA Waste Crime workshop, Trier, 27-29 April 2020
- IMPEL Waste & TFS conference, Malta 27-28 May 2020
- WasteForce Lublijuana, May 2020
- UNU Waste training, Bangkok, June 2020 (possible)
- Transnational Organised Wildlife Crime conference, The Hague, 23-24 November 2020

RdR noted that the Malta IMPEL Waste conference would be good to invite the new WG2 members too.

He would also be attending, representing ENPE in a breakout session at the UN CC COP25 conference in Madrid (13 December 2019)

5.0 AOB (no items)



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Appendix 1 – ENPE aisbl Membership and Observers

ENPE aisbl Full Members:

- Riksenheten for Milijo-och Arbestsmiljomal vid Aklagarmyndigheten, Sweden
- Environmental Protection Agency, Republic of Ireland
- Environment Agency, England
- Openbaar Ministerie, Functioneel Parket, Netherlands
- Vrchni statni zastupitelstvi v Praz (High Public Prosecutor's Office, Prague), Czech Republic
- Rigsadvokaten (Director of Public Prosecutions Office), Denmark
- Ministere de la Justice (Ministry of Justice), France
- Ökokrim (National Authority for Investigation and Prosecution of Economic and Environmental Crime), Norway
- State Attorney's Office General, Republic of Croatia
- Finnish Prosecution Service, Finland
- Prosecution Office of the Republic of Latvia, Latvia
- Fiscalia General del Estado (State Attorney General's Office), Spain
- Assoc. of Public Prosecutors, Former Yugoslav Republic of Macedonia
- Greek Public Prosecution Service, Greece
- General Prosecutor's Office, Republic of Albania
- Italian Environmental Network of Prosecutors General
- Cyprus Law Office
- Public Ministry Prosecutor's Office attached to the High Court of Cassation and Justice (Romania)
- Public Prosecution Service of Portugal, Portugal
- Prosecutor's Office II of the Canton of Zurich, Switzerland
- Austrian Federal Ministry of constitutional affairs, reforms, deregulation and justice, Austria

ENPE aisbl Supporting Members:

- Sara Boogers; Public Prosecutors Office, Antwerp



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- Carla Campanaro; LAV, Italy
- Lorna Dempsey; Milieu, Brussels
- Aisling Kelly, Office of the Director of Public Prosecutions, Ireland
- Teodor Nita, General Prosecutors Office attached to Court of Appeal
Constanza, Romania
- Piotr Nowak, District Prosecutor,

ENPE aisbl Observers:

- Dublin City Council, Ireland (is main contact)
- Eurojust
- State Environmental Inspectorate, Former Yugoslav Republic of Macedonia
- European Forum of Judges for the Environment
- International Association of Prosecutors
- Association of Prosecutors in Bulgaria.
- Brazilian Federal Prosecution Service
- Croatian Ministry of Energy and Environment
- TRAFFIC;
- Crown Prosecution Service