



LIFE14 GIE/UK/000043



## European Network of Prosecutors for the Environment - ENPE

**Meeting of the Board of Directors  
30 March 2020 12.00hrs – 13.00hrs (CET)  
Teleconference**

**Present:** Anne Brosnan (EA, England - Chair); David Smith (EPA, Ireland); Lars Magnusson (REMA, Sweden); Rob de Rijck (FP, Netherlands); Aisling Kelly (DPP, Ireland)

**Guests:** Shaun Robinson (EA, Secretariat);

**Apologies:** Peter Ashford (EA, England)

**12.00 hrs (CET) meeting starts**

### Agenda

1.0 Minutes from last Board meeting (06/12/19) SR

SR went through minutes. ENPE treasurer ratification (Aisling Kelly – AK - as new Treasurer) would be at the AGM in September 2020 at the 4N conference.

All actions were complete apart from:

SR to contact CP RE: NEEMO – use of LIFE underspend to co-finance projects after LIFE was over

SR would continue to seek an answer for this.

2.0 Officer reports AB

- ENPE President update

AB updated on her activities. She had attended a successful ECA forum meeting on 14/02/20 in Brussels. The next forum meeting would be in February 2021.

She had also attended AELERT and INECE conference on 10-13/03/20 in Adelaide. It was very successful and impressive. Over 300 delegates & very well organised.

At the conference, AB had received an award on 'Innovation in Environmental Enforcement'. All had been reported in the ENPE newsletter – issue 12.

- ENPE Secretary update

No further updates from LM.

- ENPE Treasurer Role update



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AB thanked DS for his work with this. AK had agreed to join. AB had noted that access to funds from KBC were not straightforward given that the KBC app did not work.

NEW ACTION – SR to arrange meeting with bank (KBC) to include AK, AB, SR & RdR

New Member applications (all approved – Board ratification needed):

- Malta Police Force (Observer Member); Presidency of the Public Prosecution of the Kingdom of Morocco (Observer Member); Office of the General Prosecutor of Hungary (Full Member); Finland (Full Member – new application); The Prosecutor General's Office of the Republic of Lithuania (Full Member)
- Administrative changes: Ökokrim (National Authority for Investigation & Prosecution of Economic & Environmental Crime), Norway, (Full Member) change of contact (Magnus Juel replaces Tarjei Istad); State Inspectorate, Croatia, instead of Ministry of Environment & Energy (Observer Member) name change

It was noted that all of the applications were approved, and the changes were noted.

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

AB

#### a) ENPE aisbl Changes in Governance & secretariat

- Role of UK/ EA

AB noted that UK had formally left the EU as of 31 January 2020. It was noted that the UK would need to take a lesser role in the governance of ENPE, continuing with secretarial work, but without maintaining the Presidency. Rob de Rijck, currently Vice President, would be invited to take over the Presidency role, a shad been previously agreed with the Board.

- New President – update

RdR confirmed that there was a very good chance that he would be allowed to take over the role of President. He also noted that there would be a need to look beyond his tenure in due course.

AB welcomed the news and thanked RdR for his work in securing this. ENPE would need to announce the change formally in September during the next conference (Florence 2020). RdR confirmed that he should be able to provide confirmation by then.

RdR asked if the UK (Environment Agency) can still be a member of ENPE. AB noted that the Statutes allow the UK to be a member (as a former member of the EU).

***It was noted and agreed that the UK, although having left the EU, remains a member of ENPE as per the (amended) Statutes***



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- Treasurer (Aisling Kelly)

AB noted this appointment would need to be ratified at next AGM, at the Florence conference in September 2020, as required.

NEW ACTION – Board to ratify this appointment at the next ENPE AGM planned for Sept 2020 during conference

#### **b) ECA update & FPA application**

- AB feedback from 14/02/20 ECA Forum

AB noted it was a big, busy event. Chaired by Aurel Ciobanu-Dordea. Lots of visitors, 'Green Deal' was prominent in discussions. DG ENV's role in the Green Deal was explained. Not much discussion around the work of the networks although it was noted how important the networks were.

Funding wasn't really discussed, although the meeting in June 2020 to discuss future ENPE funding was still desired.

The ECA '9-point Action Plan' has been refined with the wording changed. An update diagram will be shared in due course.

RdR noted that the Milieu evaluation of ECD meeting was due to be held but was cancelled due to coronavirus.

- Outline FPA submitted ('in principle' application)

AB noted the planned meeting in June with DG ENV to discuss the application.

- Meeting with DG ENV June 2020

Not yet confirmed, (see above)

Formal FPA application; when?

Not yet confirmed (see above)

- Use of Life underspend update

To be clarified (see above)

#### **c) Four Networks conference – 23-24 September 2020 Florence**

- Funding – €21,500 for ENPE to use, letters for ENPE Board participants (time contribution)
- ENPE breakout sessions (x3) – CC Emergency (topics and speakers needed)
- Update on programme (latest draft shared)
- Delegates to invite

[item not covered - to be discussed during LIFE-ENPE Board]

#### **d) Collaborative projects – Board decision needed**



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- Justice for Wildlife resubmission – level of support? (email)

SR updated – WWF Bulgaria wanted to re-submit their application which was not approved the first time. RdR noted that we cannot work too closely with NGOs (as previously decided) – we cannot lend authority; we can contribute, but only at some distance. Participation as trainers perhaps.

NEW ACTION – SR to check on last WWF project and ensure consistency. ENPE could contribute 'at a distance' but not decision making

- LIFE project application – “Fighting Environmental Crime in Croatia – 1st National Country Report” (email)

NEW ACTION – SR to find out more about this and share with Board

- BIOVAL – update/ Jarmo Rintala

SR noted ENPE were represented by Jarmo Rintala. No further news.

- LIFE Reason for Hope II (letter of support/ contractor?)

Letter of support to be provided – all were happy for this to go ahead.

AB said that IMPEL had asked for a teleconference for activities going forward. Were the Board happy for this to go ahead? Any particular issues?

***All agreed that it was fine to have the call with IMPEL to see what's on the agenda.***

**e) ENPE expert role:**

to submit expert opinions in environmental criminal cases before the European Court of Justice. Letter to the Advocate-General to discuss?

AB noted that this was a nice idea, but a very unusual step. RdR and Howard McCann had discussed it. It needs some thinking/ clarity – will this be allowed and can we (ENPE) deliver? A two-way matter for consideration.

AB noted that as lawyers, if ENPE offered an opinion, then other parties would want to be able to respond/ rebut etc. so a nice idea but needs more work.

NEW ACTION – All Board members to consider this as a new Working Group subject outside of Board and revisit once we have a more advanced position

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

[item not covered due to lack of time – to be covered in LIFE-ENPE Board]

- UN Climate Change COP25 conference; Madrid 13 December 2019



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- LOT 4 Partners EJTN Annual Meeting; Brussels, 29 January 2020
- ECA Forum 14/02/20
- ERA Waste Crime workshop, Trier, 09-11 March 2020
- AELERT & INECE conference; Adelaide, Australia, 10-13 March 2020

#### **Forward Look**

- ENPE Benefits Realisation workshop, Genval, Belgium, 26-27 March 2020 – Cancelled - now by correspondence
- ERA Waste Crime workshop, Trier, 27-29 April 2020
- Wasteforce training March 2020 (Lublijuana) - cancelled
- Wasteforce training, May (Munster) 2020 – webinar?
- LIFE-ENPE & CMS IKB workshop; webinar, 22 May 2020 (TBC)
- IMPEL Waste & TFS conference, Malta 27-28 May 2020
- WasteForce training, Bangkok, June 2020
- 4 Networks conference – Florence 2020
- Wildlife Justice Commission: Transnational Organised Wildlife Crime conference, The Hague, 23-24 November 2020
- COP26 conference - UK

[recent conferences and forward look to be covered in LIFE-ENPE Board meeting]

4.0

AOB

[not covered – moved on to LIFE-ENPE Board meeting after a short break]

**Signed by meeting Chair.....**



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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
- Office of the General Prosecutor of Hungary
- The Prosecutor General's Office of the Republic of Lithuania



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ENPE aisbl Supporting Members:

- Sara Boogers; Public Prosecutors Office, Antwerp
- 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

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
- Presidency of the Public Prosecution of the Kingdom of Morocco
- Malta Police Force