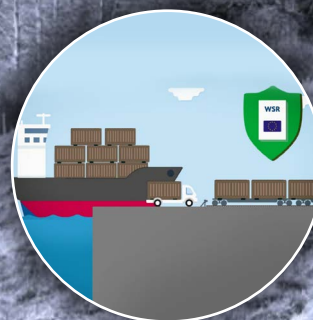


LIFE-ENPE Layman's report

October 2020



EU FORUM OF JUDGES FOR THE ENVIRONMENT
UE FORUM DES JUGES POUR L'ENVIRONNEMENT



With the contribution of the LIFE financial instrument of the European Community

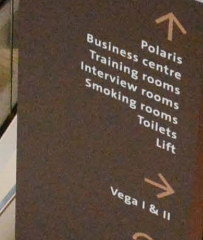
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"If we, as prosecutors can catch those who commit those crimes, if we can prosecute, obtain damages and remove the proceeds of crime, then we can make others stop and think twice."

Anne Brosnan, ENPE President and LIFE-ENPE Project



INTRODUCTION & PROJECT AIM

“Environmental crime has become one of the most lucrative criminal activities worldwide. While profits generated by these crimes are high, those involved in such crimes face particularly low risks¹.”



These crimes range from wildlife killing and smuggling to illegal waste deposition, and costs society \$ 258 billion per year², alongside incalculable environmental costs to the planet.

The European Network of Prosecutors for the Environment (ENPE), has been set up to tackle these crimes in Europe, and the LIFE-ENPE project has strengthened this network ensuring it can continue to operate and grow.

Its aim is *to improve Compliance with EU Environmental Law by addressing uneven and incomplete implementation across Member States through improvements to the efficiency and effectiveness of prosecutors and judges in combating environmental crime.*

To meet this aim, the key activities have been to

- **develop training, guidance and awareness raising material;**
- **collaborate and co-operate with other enforcement networks, organisations and projects; and**
- **to communicate and share this information with stakeholders.**

Project facts

Project Ref: LIFE14 GIE/UK/000043;

Based in Bristol, England, the Co-ordinating Beneficiary is the Environment Agency, England (EA); the Co-Financier – the Environmental Protection Agency, Ireland (EPA); Associated Beneficiaries are Riksenheten for Miljö-och Arbetsmiljomal, Sweden (REMA); Functioneel Parket, the Netherlands (FP), the European Union Forum of Judges for the Environment, Belgium (EUFJE) and Defra (England).

The project total budget is € 1,072,400 of which € 643,439 is EU Life financial contribution.



1) Headline from 10th session of the Conference of the Parties to the United Nations Convention against Transnational Organised Crime, Vienna, 12-16 October 2020.

2) European Environmental Bureau (EEB) Crime and Punishment Report March 2020.



*"Thanks
again for a
great conference.
It was
inspiring!"*

PROJECT ACTIVITIES

“The LIFE-ENPE project has enabled ENPE to be formally established as an active, internationally-recognised and respected network of specialist prosecutors - ENPE aisbl. Comprising both prosecuting organisations and individual prosecutors from across Europe and beyond, it has 41 members from 30 countries.”

Through the development and promulgation of best practices in fighting waste crime, wildlife crime and air pollution, and in sanctioning environmental crimes in general, ENPE, facilitated by the LIFE-ENPE project, has evolved into an organisation with a central role in shaping EU Policy in combating environmental crime.

- Delivering training materials to over 1000 specialists
- Consulting on EU regulations
- Organised and hosted annual conferences attended by 550 delegates
- Contribution to international networks, groups and projects
- Working Group workshops, guidance and training materials on fighting Waste crime, Wildlife crime, Air pollution and prosecution, sanctioning & judicial processes
- Environmental Crimes database
- Global reach with ENPE members in Latin America and Africa

The project objectives were each achieved on time and within budget:

1. Build a Self-sustaining Network of Environmental Prosecutors

- by formally establishing ENPE as an international non-profit association by Royal Decree;
- by expanding the ENPE network from 12 to 41 different organisations and individuals registered as members; and
- by organising and hosting four annual conferences in May 2016, September 2017, October 2018 and October 2019 attended by over 550 delegates in total.

2. Improve the Collation and Dissemination of Information on Environmental Crime

- by publishing a baseline report on environmental crime and prosecution in Europe, and sharing with 41 different countries;

- by the establishment of the ENPE website including the environmental crimes caselaw database; and
- by publishing and sharing 13 ENPE newsletters including all ENPE activity details, updates and case reports.

3. Improve Capacity and Consistency in Europe for Combating Transnational Waste, Wildlife and Air Pollution Crimes

- by convening of four specialist LIFE-ENPE Working Groups, providing workshops and training materials to improve the fight against wildlife and waste crime and air pollution as well as sanctioning, prosecution & judicial practice
- by sharing the working group training materials with over 1,000 specialists across Europe;
- by contributing to key EU Policy initiatives to tackle environmental crime.



"Thank you for the sent publication on activities that we as practitioners – members of different professional networks participating in the environment protection conducted together at the Conference in Oxford. I would like to point out the importance of the topic we discussed and which relate to effective implementation of provisions set by the EU Directive on criminal offences against environment. Thorough work at the conference as well as informal gatherings of participants provided the chance for everyone to exchange experiences in practice, and for talks about further activities. This all resulted in additional motivation and cooperation of all participants involved in dealing with this global problem."



"Congratulations to your activity and to the remarkable progress you have made in the field of connecting prosecutors and other actors for mutual cooperation on preserving a healthy environment."

(International Association of Prosecutors)

"I would like to thank you for the opportunity that you gave me to attend the ENPE Working Group Meeting. It was my pleasure and thank you for giving me the opportunity to present my cases too."

(Ministry for home Affairs and National Security, Malta)

PROJECT IMPACT

Social benefits:

- More effective, successful prosecutions & judgements – increased deterrence
- Increased awareness of impact of crime on the environment

Replicability & transferability:

- Harmonised understanding of key environmental law concepts across member states
- Greater awareness of barriers to efficient, effective prosecution of environmental crime

Best practice lessons:

- Better trained judges and prosecutors,
- Harmonised understanding of key environmental law concepts across me

Policy implications:

- Closer co-operation and collaboration between prosecutors across borders
- Global networking - Chinese; Latin American & North American networks links



"...we face the same problems across the globe and it is important to collaborate. The cooperation between different ideas, philosophies and legal frameworks can be mutually beneficial."





"Environmental crime exists, develops and spreads across borders, across continents even. To prevent and reduce environmental crime, we must therefore be effective on a continental level and global level"

Aurel Ciobanu-Dordea, Director EU
DG ENV, ENPE conference,
October 2019

"I've been very impressed with what the EU is doing with respect to waste management and waste control. My suggestion would be to reach out to other countries who aren't doing their part, to share those learnings."

"It was especially interesting to hear from countries outside of the EU. Since this environmental crime is an international problem, maybe the conference's perspective should be: How to deal with international prosecution and how to deal with the quantification of the damage. That last issue is particularly difficult to define for us prosecutors when we have to claim damages before court."

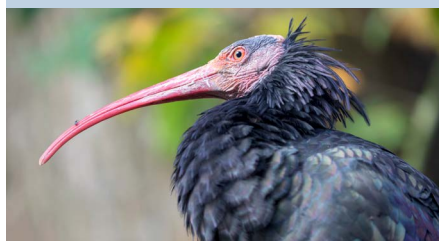
WHAT'S NEXT?

"The need for the continuation of ENPE is clear with planned contributions to the EU Policy objectives outlined in the (EU) Biodiversity Strategy 2030 and (EU) Zero Pollution ambition³. ENPE aims to continue its activities to tackle environmental crime including:

Regular workshops and seminars to share training materials such as the planned pesticides workshop in Spring 2021



Future engagement such as peer-to-peer auditing and a more ambassadorial role for ENPE



Extend organisational involvement from prosecuting bodies outside of Europe as evidenced by Brazilian and Moroccan members joining the association



Extending its reach to wider global initiatives and commitments such as UNCC COP26



3) https://ec.europa.eu/info/sites/info/files/communication-annex-eu-biodiversity-strategy-2030_en.pdf



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Photos courtesy of LIFE-ENPE Working Group members Angus Innes, Howard McCann & The Guardian newspaper, UK.