

European Network of Prosecutors for the Environment (ENPE)

Réseau des Procureurs Européens pour l'Environnement

Annual General Meeting

20 September 2017, Magdalen College Oxford

President's Report

Anne Brosnan

President, European Network of Prosecutors for the Environment

20 September 2017

Our last AGM was held during the Networks conference in Utrecht on 12 May 2016. Jonathan Robinson was then President of ENPE. Since then we have seen somewhat turbulent times. The Brexit vote was on 23 June 2016 and Jonathan left the Environment Agency and hence the ENPE network in September 2016 to move to a position as Parliamentary Counsel in New Zealand.

Membership

We have however pressed on with the development of the network and have had considerable success. Our membership has risen from 9 in 2016 to 15 in 2017 and we have a greater number of observers. The number of these has risen from 4 to 7. We also have 1 supporting member. There are currently 3 further applications pending, one for membership and 2 for observers.

Incorporation of ENPE

On 14 October 2016 we met to incorporate our association under Belgian Law to ENPE aisbl, a non-profit making company. This formality was effected by Royal Decree of the King of Belgium later on in the month. I was then appointed President and our other officers were appointed Directors of the new incorporated ENPE aisbl.

ENPE LIFE Project

We have commenced our LIFE project activities as foreshadowed at the conference in Utrecht. We have now established the four working groups which are extremely active under the excellent leadership of Lars Magnusson (WG1, Wildlife), Rob de Rijck (WG2, Waste), Lorna Dempsey (WG3, Air pollution), and Carole Billiet (WG4, Sanctioning and Judicial Best Practice).

Our Capitalisation and Gap Filling report, known as our Cap and Gap report was published in January 2017 and has been disseminated to some 35 member states and stakeholder group.

Our database of environmental crime cases continues to grow under the stewardship of Rob de Rijck and Lars Magnusson and we ask everyone to send in details of any other cases which might be of interest to other members. We will help you through what is a very simple process.

We have signed declarations of co-operation with both LIFE SMART WASTE (ref. LIFE13 ENV-UK-000549), with LIFE-ENPE Project Manager Shaun Robinson sitting on their external steering group, and LIFE Natura Themis (ref. LIFE14/GIE/GR/000026).

Meetings

We have held six Board meetings, which I have chaired, since our last AGM on:

4 July and 14 October 2016; and

10 February, 21 April, 15 June and 8 September 2017.

All of these meetings have taken place at our registered office at Scotland House, Rond Point Schuman 6, B -1040, Brussels in Belgium although we held our meeting on 15 June 2017 by telecon because of last minute difficulties over attendance in Brussels.

I have represented ENPE at the following meetings:

1 September 2016, Enforcement Networks meeting with the Commission, Brussels.

14 September 2016, EEB Biodiversity Conference, Brussels.

18 November 2016, (by Shaun Robinson) EUFJE conference, Bucharest.

31 January 2017, ECA meeting with the Commission (with LD and RdR)

20 March 2017, ECA meeting with the Commission (with CB)

5 April 2017, BRIG Regulatory Strategy meeting Rome;

15-17 May 2017, Interpol Pollution Crime Working Group Rome.

28 June 2017, Meeting with the Commission (DG Justice) re ECD.

Liaison and other activities

I was very pleased to speak by telephone to Joseph Poux, Deputy Chief at the US Department of Justice (ENRD) and Erin Eacott of the Canadian Prosecutors office in Edmonton, Alberta about our network and the possibility of assisting Joe and Erin to create something similar across North America. We have shared our statutes and other documents with our North American colleagues who are now actively working to establish their own prosecutors' network.

We are sending a senior prosecutor, Howard McCann of the Environment Agency England and also our Waste Working Group, to Rome and then to China to support the DOTCOM training initiative on international waste shipments.

We have worked closely with the Commission, DG Environment, in relation to their Environmental Compliance Assurance initiative. We have also met with DG Justice and provided feedback and responses to their questionnaire about the effectiveness of the Environmental Crime and Ship Source Pollution Directives. This questionnaire has gone out to all Member States and hopefully the relevant prosecutors.

We have drafted a position paper for ENPE setting out our ambitions and aspirations which we have sent to the Commission and to IMPEL. This has been a step on the way to establishing the Memorandum of Understanding around greater co-operation between our networks, which was signed today.

We have worked with the European Judicial Training Network (EJTN) in relation to their programme of specialised judicial exchanges for 2017. We have identified both places for candidates and prosecutor applicants who wish to gain a wider knowledge and understanding of other criminal jurisdictions across the EU.

Newsletters

We have sent out three newsletters since our last AGM, in July and December 2016 and in April 2017. We intend to issue our next newsletter after the conference to communicate our findings and hopefully include some photographs of participants.

Incorporation and Ratification of Officer Appointments

Our incorporation took place in October 2016 and my appointment as President and the appointment of the other officers of ENPE should formally be confirmed by the full membership of ENPE at this AGM in due course.

An up to date list of members and observers is attached.

Annex 1.0 ENPE Members & Observers

Please find below a table containing the current Observers and Members of ENPE (The European Network of Prosecutors for the Environment) which we record in order to share with new Members, and retain as an up-to-date circulation list for our newsletters and flyers. We would urge you to register for a user account for the ENPE website to ensure you can access the crimes database, including uploading details where appropriate: <https://www.environmentalprosecutors.eu/>

MEMBERS

European State	Organisation	Contact Person
United Kingdom	Environment Agency	Miss Anne Brosnan
France	Ministere de la Justice	Mr. Jean-Philippe Rivaud
Ireland	Environmental Protection Agency	Ms. Lorna Dempsey
Sweden	Riksenheten för miljö- och arbetsmiljömål	Mr. Lars Magnusson
Netherlands	Function Parkeet	Mr. Rob de Rijck
Czech Republic	Vrchni statni zastupitelstvi v Praze	Adam Basny
Norway	Ökokrim	Mr. Tarjei Istad
Denmark	Rigsadvokaten	Ms Rikke Jensen
Spain	Fiscalia General del Estado Medio Ambiente y Urbanismo	Mr Antonio Vercher
Croatia	Dravno Dvovjetno Republike Hrvatske	Ms Helenca Pirnat-Dragicevic
Finland	Finnish Prosecution Service	Mr Tommi Hietanen
Latvia	Specialized Multi-field Prosecution Office	Jegors Čekanovskis
Albania	General Prosecutor's Office of the Republic of Albania	Rovina Gashi
Greece	The Supreme Court of Greece	Christos Naintos
Former Yugoslav Republic of Macedonia	Association of Public Prosecutors	Suzana Kuzmanovska

SUPPORTING MEMBERS

European State	Organisation	Contact person
Belgium	Public Prosecutor's Office, Antwerp	Sara Boogers

OBSERVERS

State	Organisation	Contact person
IAP	International Association of Prosecutors	Mrs. Agnes Diofasi Takacs
Bulgaria	Association of Prosecutors in Bulgaria	Mr. Stanislav Stoykov
Ireland	Dublin City Council	Ms. Leonora Mullett
EUFJE (Belgium)	EUFJE	Mr. Luc Lavrysen/Jan Van den Berghe
Former Yugoslav Republic of Macedonia	State Environmental Inspectorate, Republic of Macedonia	Darko Blinkov
Eurojust	Eurojust	Ms. Renske Mackor

Pending applications

MEMBERS

State	Organisation	Contact person
Romania	General Prosecutor's Office of Court of Appeal, Constanta	Mr Teodor Nita

OBSERVERS

State	Organisation	Contact person
Belgium	TRAFFIC	Vinciane Sacre
Brazil	Brazilian Federal Prosecution Service	Rodrigo Janot Montero De Barros