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European Network of Prosecutors for the Environment - ENPE

Meeting of the Board of Directors
07 July 2023
09.30hrs – 16.00 hrs CET
Scotland House, Brussels & MS Teams

Attended: Anne Brosnan (EA, Chair); David Smith (EPA, Ireland) – by video link; Lars Magnusson (REMA, Sweden) – by video link; Jean-Philippe Rivaud, (MoJ, France);; Rob de Rijck (FP, Netherlands)

Guest: Shaun Robinson (EA, Secretariat);

Apologies: Aisling Kelly (Microsoft, Ireland); Antonio Vercher Noguera (FM, Spain); Maksym Popov (OPG, Ukraine).

09.30 hrs (CET) meeting started

Minutes

1.0 Minutes and actions from last Board meeting (21/02/23)

The minutes from the last Board meeting on 21/02/23 were reviewed and formally approved by the Board.

NEW ACTION – SR to share RdR's (amended and updated) report of the Lviv conference (March 2023)

NEW ACTION – SR to share the 21/02/23 Board minutes via the ENPE website

2.0 ENPE aisbl: update

UBO registration update

All ENPE Directors were now correctly registered for UBO purposes and there was still an appeal pending against the ENPE fine which remains to be determined.

ENPE had paid fines for individual ENPE Director non-registration of UBO (Ultimate Beneficial Owner) that were not applicable.

Rob de Rijck would seek reimbursement of these and was authorized by the Board to serve a reply ('Memorie van Wederantwoord') on behalf of ENPE to the Belgian government's reply (,Memorie van antwoord').

NEW ACTION – RdR to contact the relevant Belgian government office

ENPE Internal Rules and Articles of Association – updating and sign-off

AB had shared the amended Internal Rules of procedure and Articles of Association following the review at the November 23 2022 Board meeting.

AB presented these amended Internal rules and Articles of Association and further changes were made during the meeting.

All Board members present approved the updated, amended Internal Rules and Articles of Association for sign-off.



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NEW ACTION – SR to file and share final versions with the correct Belgian court, registered office (Scotland House) and any other organisations as appropriate in due course

Operational issues – insurance & corporate travel agent

After a mini-tendering exercise (3 contractors) SR confirmed that Director and Officer liability insurance for ENPE was now in place for 1 year in the first instance.

General insurance for ENPE and its members was pending.

SR had conducted a similar tendering exercise for a corporate travel agency to reduce administration and make travel booking more efficient for members.

The contract would last 1 year in the first instance. If approved by the Board, we could start the arrangements for the 4 Networks conference in Rome.

The Board agreed that this should be supported and approved the proposal to use Rome as a 'test case'.

NEW ACTION – SR to sign to up the arrangement for the Rome conference

New Member applications

GPO, Republic of Moldova - Full Member – approved;

Dina Cornica (Romania) – Supporting Member – pending - reply asking how she would work with existing Romanian members and introduce them to her;

Shane Reynolds (Ireland) – Supporting Member - not approved;

Martijn Zwiers (Netherlands) – Supporting Member - approved;

Torben Guretzki (Germany) – Supporting Members – approved.

Organisations from other countries (e.g. Serbia) had also been in contact.

SR also agreed to send an application form to J-PR for the French environmental prosecuting network - AFME to apply to join as Observers/ Supporting Members.

NEW ACTION – SR to reply to all applicants and share application forms/ details from new applicants with RdR

[Lars Magnusson left the meeting]

4.0 ENPE Working Groups – update

- Waste & Illegal pesticides

RdR noted two training workshops – 1) on illegal waste shipments in Tallinn in December 2023; and 2) on illegal pesticides in the Czech Republic (Spring 2024).

- Wildlife crime

SR updated in Lars's absence. The group will produce a short guide on prosecuting specific wildlife crimes. Nina Miron, EU Directorate General for Environment (EG ENV) working on the Wildlife Action Plan (WAP), had been in contact to explore possible collaboration and shared outputs. This was welcomed by the Board. It might be possible to organise a joint event (e.g. workshop) in due course.

NEW ACTION – SR to explore options with LM and Paul Stimson (Vice-Chair)



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- Pollution

DS updated - the group could assist with Operation Accountable – the project to assist Ukraine’s Office of the Prosecutor General (OPG) in their prosecution of environmental crimes. A ‘kick-off meeting’ to get things moving was needed.

NEW ACTION – SR to check Chair (J Sbokos) and DS’s availability & organise kick-off meeting in early September

5.0 Cooperation with STRASBOURG university (EU diploma on environmental criminal justice)

J-PR said SU were going to offer a Diploma in Environmental Criminal Justice. It would be a 1-year course focussed on the European dimension.

The language would be French and possibly English. ENPE could perhaps provide visiting lecturers (ENPE members). AB welcomed this opportunity. The first year would be 2024-25, with around 20 students expected.

NEW ACTION – J-PR to confirm that ENPE is happy to support this initiative on an annual basis and provide a guest speaker and supporting materials as needed

NEW ACTION – AB to draft letter of support for J-P R

LUNCH Break 12.00 hrs – 13.00 hrs – AB, RdR, SR meeting with KBC Bank

6.0 Operation Accountable (OA) – update

SR updated on progress including the application for funding (DG NEAR).

It was agreed that due to slippage, the budget should be reduced *by 50% across each category and the programme extended by 6 months to 2025.*

A training event in Warsaw at the Polish Environmental Inspectorate, should be convened in late October/ early November 2023 to maintain momentum. A similar workshop could be organised each quarter. Translation services would need to be provided and costed.

The first workshop would focus on investigation and case building. If needed additional expertise could be drawn in (e.g. from IMPEL).

The ENPE Pollution Working Group could contribute to these events (see above).

NEW ACTION – SR to organise steering group meeting with Maksym and colleagues and ENPE Pollution group members (mid-September 2023)

NEW ACTION – SR to raise at the ENPE Pollution WG kick-off meeting (NB revisit US DoJ training to ensure complementary activity and no duplication)

7.0 ENPE events (co-hosting) 2023



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La Rochelle 27-29 April 2023 – SR shared some of the feedback questionnaire comments. Broadly, all were positive with some good suggestions.

For the 4 Networks conference in Rome, 28-29 September 2023, the programme was shared and discussed. Some minor adjustments were suggested.

NEW ACTION – SR to move Jeff Bray & Joe Poux into Theme 2 session on Day 1

NEW ACTION – SR to request optional tour/ visit to Vatican at end of conference

8.0 Other seminars, workshops, collaboration

SR updated on ERA events (x11) and LIFE SWiPE training (Romania). ENPE members had provided significant support (x8 members contributing). This would be reported to the Commission in the interim (18 month) SAG report.

LIFE GYP 'Acc (French LIFE project protecting endangered bearded vultures) had requested assistance with training materials (IKB).

NEW ACTION – SR to send covering letter detailing the training materials.

DS updated on the Moroccan visit that he had participated in with Antonio Vercher Noguera and Katerina Weissova. It had been a success and very worthwhile.

NEW ACTION – DS to provide summary for ENPE reporting & newsletter. Also include joint US DoJ training (AB & DS) for Ukrainian colleagues (May 2023).

NEW ACTION – J-PR to look into attendance at the ASEAN event in Bangkok.

NEW ACTION – SR to see if Antonio Vercher Noguera is available to attend EUFJE conference in Barcelona 26-27 October 2023

NEW ACTION – SR to share SEPRONA invitation with Board who can offer to colleagues/ delegate as needed

9.0 No AOB - meeting closed 15.00 hrs