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European Network of Prosecutors for the Environment - ENPE

Meeting of the Board of Directors
15 December 2023
10.30hrs – 13.30 hrs CET
MS Teams

Attended: Anne Brosnan (EA, Chair); David Smith (EPA, Ireland); Lars Magnusson (REMA, Sweden); Shaun Robinson (EA, Secretariat);

Apologies: Jean-Philippe Rivaud, (MoJ, France); Aisling Kelly (Microsoft, Ireland); Antonio Vercher Noguera (FM Spain);

Delayed: Rob de Rijck (FP, Netherlands)

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

AB reviewed the minutes from the last Board meeting (21/02.23) and the following Actions were brought forward: to be discussed in this meeting:

- UBO fine appeal update was brought forward – RdR to update
- Corporate Travel Agreement – brought forward to be discussed in agenda

The following Action was pending (reply due from the applicant)

- Romanian ENPE applicant Dina Cornica – application pending

Otherwise all actions from the 21/02/23 Board meeting had been completed.

The minutes were approved by the Board

NEW ACTION – SR to share minutes from 21/02/23 on ENPE website

2.0 ENPE aisbl: update

- **Amended Internal Rules and Articles sign-off & submission**

Approved at the AGM – submission due on 20 December 2023 (AB & SR)

- **Membership (Armenian Observer application) & discussion**

All documentation looks to be in order (criminal code, background etc.)

AB noted the status of applicant organisations/state – we need to be careful in ensuring all applications received are eligible for membership and will benefit ENPE network.

Agreed that ENPE would like to find out a little more about Armenian application. E.g. Examples of environmental cases that they have taken and are interested in.

NEW ACTION - RdR to find out more if possible from Eurojust.

NEW ACTION – SR to respond to the applicants to this end.



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- **UBO fines appeal update & tax return (Brecht)**

RdR updated – we are still waiting for judgement on the appeal. No further news. RdR clarified that ENPE (as a Natural Person) & all ENPE Directors are now UBO registered.

SR updated that Brecht (Troef) had confirmed that the tax return had been acknowledged. This had shown up in the inbox of the Belgian Tribunal website for ENPE.

SR updated on the Corporate Travel agreement. Has been set up (tendering complete and successful provider identified) but each transaction requires sign-off by RdR or AB.

RdR – suggested contacting KBC (ENPE's bank) and ask them if we can have multiple payments – can we have one sign off for a number of payments?

NEW ACTION – SR to check out with KBC Bank as to how best to organise this (contact Christian who had helped so well before)

3.0 ENPE Forward Look (discussion)

- **Succession planning: Presidency & ENPE Board**

AB noted that succession planning, both in terms of new Board members to replace those who may in due course retire, and the Presidency, is needed.

Several likely candidates had been identified and would be approached. Some have already expressed an interest.

AB – suggested getting support for Directors to identify proxy attendees and include others. Succession planning is important.

NEW ACTION – SR to contact current Board members to recognise the demands their commitments, and suggest they allocate a proxy – are there any prosecutors they would like to send along/ encourage to attend?

NEW ACTION – AB to invite those discussed to sit on the board given their experience – subject to approval at the next GA (September 2024)

AB asked about the Presidency – does anyone want to take on this role?

Any interested Board member to please consider putting themselves forward and discuss with AB. To consider this further over the coming weeks.

AB would wish that Environment Agency (ENPE Member for England, UK), retains a role on the Board once the Presidency is handed over e.g. Sec General.

Furthermore other Board members expressed their desire to remain as they were and not to take on a new role, ruling themselves out of being considered for President.

AB said announcing a new President at the 2024 conference (September 2024) would be appropriate. Funding for ENPE is currently fixed until end of 2024. There would be opportunity to apply for 3 more years (2025-28) with planning for this during 2024.



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DS suggested opening out the opportunity at the 2024 conference asking for interest in all Board positions?

Changes are possible including a different role for the EA. A plan is needed.

NEW ACTION - All to share any ideas about succession planning

NEW ACTION – SR to plan 3 Board meetings to be convened before 2024 conference

NEW ACTION – (SR/AB) RE: EC ECD thank you letter – share with Members

RdR mentioned participation of a German colleague at the Waste & IP working group workshop (Tallinn) which was very welcome.

4.0 ENPE Working Groups – update

- Waste & Illegal Pesticides (workshops – Tallinn & Prague possibly in Spring time)

RdR reported back. SR was drafting a report. All feedback was good. One learning from the workshop was risks arising from an intolerance/ allergic reaction from consuming food at the hotel by one of the delegates.

The learning would be to communicate better with the hotels to endure intolerance/ allergens are fully considered in all meals provided.

NEW ACTION – SR to ensure this is made clear with all venues used by ENPE in future

Possible workshop in Spring on Pesticides (TBC).

AB noted that the plan for ENPE conference 2024 is Cork. We are scoping possibility. DS confirmed it was an appropriate location and will assist where he can.

SR updated – Cork Convention Bureau (a collaboration between the tourist board, council, university and airport) will assist; [NB * we need to check whether any sporting events/ other big events are happening.]

AB noted the Irish contacts and connections for ENPE, including Cork University volunteers and Eveleen Healy at Irish DPP (recent Environmental crimes unit set up). There are also very well-known academics specialising in environmental law in UCC.

NEW ACTION – DS to contact Prof Aine Ryall and let her know that ENPE is intending to have the event in Cork

Possible pesticides breakout session in margins of Cork conference? TBC

RdR – said it was good timing, but possible to have it in Eastern/ Central; Europe. There is a slight urgency for this due to old (pesticides) stock causing identified risks.

- Wildlife crime cases compendium/ workshop (organised by Reason for Hope II)

LM had wanted to put some films or short videos together but had not received much by way of reply. Instead a workshop as per Tallinn might be better.



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DS had attended a UN conference hosted by Dr Tanya Wyatt on WLC crime -he would share details and findings.

NEW ACTION - DS to share details workshop details after the meeting

AB said she was attending ERA event in Trier. ENPE would value ERA input into WLC work too.

- Pollution – Spring workshop (UA? in Poland/ Prague)?

DS noted discussions – Tallinn workshop would be a great model for 2024 event. AB noted the facility on offer in Poland (DS & SR will discuss off-line)

Coffee & mince pie break (virtual) – 12.00 hrs

5.0 Events attended/ hosted (feedback)

- 4 Networks, Rome 28-29 September 2023 – (RdR, AB, SR, LM).
- EUFJE AGM, 30-31 October 2023 (Antonio Vercher)
- ASEAN Environmental crime regional meeting (Diana Helila)
- Europol environmental crime enforcement (Peter Stark)
- French Embassy/ Croatia (Matilda Peza)

All feedback from these events had been positive. Reports had been provided where needed and included in reporting (including newsletter articles).

- ENPE W&IP WG Workshop Tallinn (RdR/SR)
[Covered in item 4.0 above]

- ERA training – Online (Nov – AB) Tirana, Dec (AB & Remus)
AB & Remus Jurj (Romania) had delivered training (AB 2 & RJ 3). AB noted the increasing demands on ENPE time for these events. It was not always easy to find ENPE contributors. More sessions were coming in February. We may have to limit our contributions or find a wider pool of volunteers.

NEW ACTION – SR to share requests ASAP with Spanish, Italian and French members for forthcoming training events in Spring 2024

Other seminars, workshops - Forward look

- 23/01/24 – EJTN Lot 4 Annual meeting & training, Brussels/ hybrid

NEW ACTION – SR to ask if Sara Boogers can attend

- ERA training EU Environmental Law – Feb; April; June
[see above]

- ENPE Pollution WG – Prague (Spring)?

As discussed – possible also to combine with Cork conference TBC

- Reason for Hope II Italy/ Hybrid – April 2024

NEW ACTION – LM/ ENPE to consider attendance/ contribution

7.0 AOB & Close

AB noted the letter of thanks from the Commission for our assistance with revision of the Environmental Crime Directive – see action above (RdR suggested that the WG members should see the letter – it was a good example of successful collaborative



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working). RdR ENPE input - Could be an item for the Cork Conference that we revisit ECD and discuss next steps.

RdR - new European legislation e.g. Ecocrime directive – & new Council of Europe Convention on the protection of the Environment through criminal law.

AB – approach by ALEART/ INECE regarding Australian Regulators Conference

NEW ACTION – SR to add to Forward Look

NEW ACTION – SR to contact Jannis/ Kelesis/ Jorgos to get broken Gaia awards fixed and add in another order (another 6)

DS – said a new planning & specialised environmental court has been established in Dublin to hear environmental cases– turnaround time for cases will be much quicker now because of this (cases are taking a long time at present) but hopefully new court will speed things up significantly. Also DPP (Ireland) has specialised environmental prosecutors.

AB – ask DPP to do a presentation on the new crime unit; Judge from new Dublin specialised court to do a keynote speech? TBC

NEW ACTION – once Cork conference dates are fixed AB/SR to liaise with DS to get Ainie Ryall and other invitees included.