



LIFE14 GIE/UK/000043



## European Network of Prosecutors for the Environment - ENPE

### Meeting of the Board of Directors

29 April 2022

10.00hrs – 13.30hrs CET

Scotland House & MS Teams

**Present:** Anne Brosnan (EA, Chair); Rob de Rijck (FP, Netherlands); Aisling Kelly (MS, Ireland);

**Attended virtually (MS Teams):** David Smith (EPA, Ireland); Lars Magnusson (REMA, Sweden)

Also present: Shaun Robinson (EA, Secretariat)

**Apologies:** Antonio Vercher; Jean-Philippe Rivaud;

**10.00 hrs meeting started**

### Meeting minutes

**1.0 AB** welcomed everyone, and updated on the latest ENPE funding news:

- The Framework Partnership Agreement (FPA) was signed with the (EU) Directorate General for Environment (DG ENV) on 01/04/22;
- This over-arching agreement frames the activities of ENPE for the next 6 years;
- The Specific Operating Grant (SOG) and Specific Action Grant (SAG) are both approved. These will fund ENPE operations for the next three years (2022-24);
- The ENPE business account, KBC Bank (Schuman, Brussels), has updated access arrangements.

**NEW ACTION – AB to arrange copies of the FPA to be sent to all ENPE Board members (COMPLETED)**

**2.0 Apologies and minutes and actions arising from last Board meeting (03/12/21)**

**AB** had received apologies from Antonio Vercher and Jean-Philippe Rivaud. The minutes of the last board meeting (03/12/21) were approved.

**3.0 ENPE aisbl: update**

**AB** noted that all our activities would be conducted under ENPE (AISBL), as opposed to the LIFE-ENPE project, going forward.

***The Board agreed, after reviewing the submissions of a tendering exercise, to appoint Boekhoudkantoor Troef, based in Belgium, as ENPE accountants for the coming year, subject to final checks.***

**NEW ACTION – SR to check that they are fully compliant and to notify all parties involved in the tender of the Board's decision.**



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RdR, AK & SR now have access to the ENPE business account (KBC).

***The Board agreed that at least 2 signatory approvals would be needed to approve all ENPE AISBL spend and we will amend or reaffirm internal rules to require this.***

All payment conditions (e.g. timeframe of payment to ENPE payees) as required by the Commission under the funding agreements, would be observed and adhered to.

SR confirmed that the LIFE-ENPE project funds distribution form was submitted last year. This showed that the underspend remained with the EA. This is to be used to co-finance the next phase of work. SR would share the information with RdR.

AB outlined the next steps for ENPE, - "ENPE II":

- **Location of ENPE registered office (headquarters)**

Our registered office is at Scotland House. The possibility of co-location with Eurojust (EJ) in The Hague has been discussed and remains under consideration. Revision of the Environmental Crime Directive (ECD) and ensuring effective implementation across Europe would necessitate working closely with EJ.

AB said both parties (ENPE & EJ) see it as a 'win-win' situation. No decision had been taken but it might be a possibility to relocate there from Scotland House. We will check in due course whether Belgian law requires us to have a Head Office in Belgium.

- **ENPE activities - next steps**

The ENPE II Action plan was shared (annex 1.0 of FPA application form). *Wildlife Crime* and *Illegal Waste* were key topics. We agreed the third topic should be *Pollution Crime*. We discussed whether there are any other ideas and how would the groups be resourced?

AK suggested focussing on the 'intake pipe' of ENPE members.

RdR & LM now have less time available for ENPE activities. Both were content to continue as Chair of their groups, if no-one else was available.

AB acknowledged the time commitment of participation and thanked everyone involved.

**NEW ACTION – SR/AB to contact all ENPE members to find WG participants including Chair or Vice-Chair roles, noting new FPA and funding and Waste, WLC & Pollution, as initial ideas for WG topics.**

This would be part of our relaunch for the next ENPE Newsletter.

- **ENPE AGM, 're-launch' & 10-year celebration**

All agreed that the 29 & 30 September 2022 were best dates for this possibly at the EJ conference facility (The Hague). All members would be invited, with WG topics to be finalised and populated.



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**NEW ACTION – AB to contact EJ and ask about availability of venue (oval conference room for 29/30 September 2022).**

Planning the day, including consideration of hiring a facilitator, would take place at the next Board meeting on 17 June 2022 (virtual via MS Teams).

**NEW ACTION – SR to set up Board meeting on 17 June 2022.**

- **ENPE Board of Directors**

Distinction between Board members and Directors need clarification.  
Record of Belgian Companies House needs checking.

**AB** said that the ENPE Directors responsibilities have been discussed and we have long term plans for moving these, including Presidency. These will need review. Not urgent but to be considered.

**AK** suggested a yearly declaration/ self-attestation of 'fit & proper' person status. This could be affirmed at each AGM. All agreed to this.

**NEW ACTION – SR to check statutes and Belgian Companies House records and share details with Board together with draft wording for declaration in annual officer reports.**

- **ENPE Members update**

New supporting member applications from Prof Jurj Remus; Dr Golibettelli and Observer member application from the Romanian National Environmental Protection Agency (NEPA) were noted. All were approved.

**NEW ACTION – SR to send welcome letters and pack to each, adding them to the circulation list.**

- **Collaborative projects**

SWiPE (LIFE project on Wildlife Crime) – had asked for assistance with presenters at an event in Spain.

**SR** said **AV** couldn't do it. **LM** suggested the Spanish prosecutors from the Segovia workshop.

**NEW ACTION – SR to contact the Spanish presenters about this and also Bart Van Vossel, who had presented on WLC cases before. Also share SWiPE details with DS.**

BIOVAL update – Jarmo Rinatala, who attended on behalf of ENPE (email) was unclear of his role. Could he represent ENPE formally?

**NEW ACTION - SR to set up a call with LM to discuss ENPE representation going forward. A non-binding guideline/ template was best outcome for ENPE.**

University of Cork (UoC) database update (inc. EU Twix input) – **AK** would contact Aine at the UoC to agree the availability of students. Funding was available on 'volunteer' (reduced) rate via ENPE SAG. The two main objectives were:



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- 1) Finding new cases to input on the ENPE env crimes database; and
- 2) Revisit/ refine the database including GDPR compliance.

**NEW ACTION – SR to set up call with AK, EU Twix (Vinciane) and LM in the first instance to agree next steps. RdR would join second call.**

#### 4.0 • Annual ENPE Gaia Awards

All agreed that the next steps were to notify members via the newsletter, including a brief reminder of what they were ('Gaia' meaning, background, categories). A judging panel (5) would be invited from ENPE members.

Presentation of awards at September 29/ 30 meeting.

#### 5.0 Seminars, workshops attended & forward look

##### Attended

- WSR training (virtual) ENIM, RdR, 07 December 2021

**NEW ACTION – RdR to share details of Austrian training event (March 2022) with SR to include in ENPE reporting**

- IMPEL GA December 2021
- UNEP Secretariat of the Basel, Rotterdam and Stockholm Conventions webinar 19 January 2022 (HMc)
- French Guyana March 2022 (JPR)
- FFI & Defra training event for prosecutors and judges in Georgia 15 & 16 March 2022 (AB & CPS)
- INTERPOL PCWG April 19-21 2022, Lyon (AB)

##### Forward look

- Italian MoJ & Prosecutors Office & CCPE joint European Prosecutors Conference, 5/6 May 2022, Sicily (AB, RdR, AV, J-PR)
- French EU Presidency (MoJ) event, The protection of the Environment through criminal law – a European Challenge; Marseilles 17-18 May 2022
- CMS – IKB meeting, Valencia, Spain 7-9 June 2022 (AV unavailable, SR will check with Spanish prosecutors for possible attendance)
- 29/30 September ENPE 10-year anniversary event (The Hague) – AK noted participation in ENIM (French Magistrate School) and endorsed this organisation – possibly invite to September event.

##### AOB

- Antonio Vercher's award – AB noted this important recognition of AV's public service. The Board congratulates AV on this.

**NEW ACTION – SR & AB to draft formal recognition of this by ENPE.**



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- List of items from J-PR were discussed. Some helpful suggestions for partnership working. AB would address and respond to J-PR.
- Website update/ security issues (spam mail). This had been addressed by our contractor. Website updating is a priority under our new funding round.

**Meeting closed 13.00hrs**