



ERA Training Event

The role of EU Agencies and Bodies in the protection of the Environment through Criminal Law

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EU LEGISLATION ON WILDLIFE TRAFFICKING, DEFORESTATION AND ILLEGAL
LOGGING, AND COMBATTING ASSOCIATED CRIME

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TFEU 191(1) EU (as amended in Lisbon 2007) policy on the environment shall contribute to pursuit of the following objectives:

- preserving, protecting and improving the quality of the environment,
- protecting human health,
- prudent and rational utilisation of natural resources,
- promoting measures at international level to deal with regional or worldwide environmental problems, and in particular combating climate change.

2. Union policy on the environment shall aim at a high level of protection taking into account the diversity of situations in the various regions of the Union. It shall be based on the precautionary principle and on the principles that preventive action should be taken, that environmental damage should as a priority be rectified at source and that the polluter should pay.

In this context, harmonisation measures answering environmental protection requirements shall include, where appropriate, a safeguard clause allowing Member States to take provisional measures, for non-economic environmental reasons, subject to a procedure of inspection by the Union.



TOPICS



EU Institutions, Agencies and Networks

- European Commission : DG Env; DG Clima; DG Just; DG TAXUD; DG MARE;
- European Environment Agency (EEA);
- European Border and Coast Guard Agency (Frontex);
- European Agency for Law Enforcement & Co-Operation (Europol);
- European Union Agency for Criminal Justice Cooperation (Eurojust);
- European Monitoring Centre for Drugs and Drug Addiction (EMCDDA);
- 4 Networks - Environmental law enforcement networks and the judiciary.

See EU Agencies Network site.

Institutions of the European Union

EU Council – Is the main decision making body of the EU. Government ministers from each EU country meet to discuss, amend and adopt laws, and coordinate policies. The ministers have the authority to commit their governments to the actions agreed on in the meetings

EU Commission – Is the executive of the European Union. It operates as a cabinet government, with 27 members of the Commission headed by a President. It includes an administrative body of about 32,000 European civil servants.

EU Parliament – Is the forum for political debate and decision-making at the EU level. Members of the European Parliament are directly elected by voters in all Member States to represent people's interests with regard to EU law-making and to make sure other EU institutions are working democratically.

CJEU – The Court of Justice of the European Union. Ensuring EU law is interpreted and applied the same in every EU country; ensuring countries and EU institutions abide by EU law.



EUROPEAN COMMISSION
The Directorate-General for Environment



- **The Directorate-General for Environment** is the European Commission department responsible for EU policy on the environment.
- **It aims to protect, preserve and improve the environment for present and future generations, proposing and implementing policies that ensure a high level of environmental protection and preserve the quality of life of EU citizens.**
- It also makes sure that Member States apply EU environmental law correctly and represents the European Union in environmental matters at international meetings.
- DG Environment's **mission** follows on from **the General Union Environment Action Programme to 2020 (7th EAP) "Living well, within the limits of our planet"**:
- "To develop and facilitate the implementation of policies and legislation that contribute to enabling EU citizens to live well, within the planet's ecological limits, based on an innovative, circular economy, where biodiversity is protected, valued and restored and environment-related health risks are minimized in ways to enhance our society's resilience, and where growth has been decoupled from resource use."
- The 8th Environment Action Program is in progress.

Note recent revision of the ECD



EUROPEAN COMMISSION The Directorate-General for Climate Action



- The Commission's **Directorate-General for Climate Action (DG CLIMA)** leads the European Commission's **efforts to fight climate change at EU and international level.**
- **Climate action is at the heart of the European Green Deal** – an ambitious package of measures ranging from ambitiously cutting greenhouse gas emissions, to investing in cutting-edge research and innovation, to preserving Europe's natural environment. **First climate action initiatives under the Green Deal include:**
- European Climate Law to enshrine the 2050 climate-neutrality objective into EU law
- European Climate Pact to engage citizens and all parts of society in climate action
- 2030 Climate Target Plan to further reduce net greenhouse gas emissions by at least 55% by 2030



EUROPEAN COMMISSION The Directorate-General for Climate Action



- **Within the framework of the European Green Deal, DG CLIMA:**
- formulates and implements cost-effective policies for the EU to meet its climate targets for 2020, 2030 and beyond, especially on greenhouse gas emissions and protection of the ozone layer
- ensures climate change is taken into account in all other EU policies and that adaptation measures will reduce the EU's vulnerability to the impacts of climate change
- leads the Commission task forces in international negotiations on climate change and ozone-depleting substances, and coordinates bi-lateral and multi-lateral partnerships on climate change with non-EU countries
- implements the EU's Emissions Trading System (EU ETS) and promotes its links with other carbon trading systems, with the ultimate aim of building a global carbon trading market.
- monitors how EU member countries are implementing their national targets in sectors outside the EU ETS ("Effort Sharing Decision").
- **General Objective of DG CLIMA is to support the development of a resilient Energy Union with a Forward-Looking Climate Policy.**



EUROPEAN COMMISSION
The Directorate-General for Justice and Consumers (DG JUST)



DG JUST was created in 2010 when the DG Justice, Freedom and Security was split into DG JUSTICE and the Directorate-General for Home Affairs

Develops and monitors the implementation of policies that aim to ensure that the whole of the European Union is an area of freedom and security without internal borders.

The main areas of activity of the DG are:

- to ensure fundamental rights are upheld
- matters regarding civil law
- to guarantee personal data is protected
- to guarantee access to the judiciary across the EU
- consumer protection

AGENCIES IN THE AREA OF DG JUSTICE AND CONSUMERS:

- EUROJUST
- FRA - EUROPEAN UNION AGENCY FOR FUNDAMENTAL RIGHTS
- EIGE - EUROPEAN INSTITUTE FOR GENDER EQUALITY
- EISMEA - EUROPEAN INNOVATION COUNCIL AND SMEs EXECUTIVE AGENCY
- EACEA - EDUCATION, AUDIOVISUAL AND CULTURE EXECUTIVE AGENCY

EPPO –has since June 2021 become operationally and financially independent of the Commission. However, EPPO is still logistically linked to DG Just in the handling of certain IT applications such as those related to staff management until it becomes wholly independent of the Commission.

DG JUST [Proposal for a Directive on the protection of the environment through criminal law and replacing Directive 2008/99/EC](#)



EUROPEAN COMMISSION
The Directorate-General for Taxation and Customs Union
DG TAXUD



DG TAXUD develops and carries out the Commission's policies on:

- Customs
- Customs authorities and other authorities carry out controls at the Union borders to enforce many different requirements under sectoral policies. These requirements are known as 'prohibitions and restrictions' (P&R).
- P&R may be imposed on goods when they are justified on grounds of:
 - public morality, public policy or public security,
 - the protection of health and life of humans, animals or plants,
 - the protection of the environment,
 - the protection of national treasures possessing artistic, historic or archaeological value and
 - the protection of industrial and commercial property,
 - including controls on drug precursors, goods infringing intellectual property rights and cash
- Taxation



EUROPEAN COMMISSION
The Directorate-General for Maritime Affairs and Fisheries
DG MARE



- The Directorate-General for Maritime Affairs and Fisheries (DG MARE) develops and carries out the Commission's policies on:
- Maritime Affairs and Fisheries
- The Directorate-General works to:
- ensure that the ocean resources are used sustainably and that coastal communities and the fishing sector have a prosperous future
- promote maritime policies and stimulate a sustainable blue economy
- promote ocean governance at international level



EU Agencies



- EU agencies are **distinct bodies from the EU institutions – separate legal entities set up to perform specific tasks under EU law.**
- **Decentralised agencies** contribute to the implementation of EU policies.
- Support cooperation between the EU and national governments by pooling technical and specialist expertise from both the EU institutions and national authorities.
- Decentralised agencies are set up for an indefinite period and are located across the EU.



European Environment Agency (EEA)



- **EU agency tasked with providing sound, independent information on the environment.** Operates as a **major information source** for those involved in **developing, adopting, implementing and evaluating environmental policy**/the general public.
- **Headquarters in Copenhagen.** Staff include experts on environment and sustainable development, information management and communication.
- **EEA's mandate** is to:
 - help the EU and its member countries make informed decisions about improving the environment, integrating environmental considerations into economic policies and moving towards sustainability
 - develop and **coordinate EIONET**, the European Environmental Information and Observation network, which involves over 300 institutions across Europe
 - The agency closely cooperates with the **designated national contact (or 'focal') points** in 32 participating countries, as well as other national bodies (environment agencies, ministries, etc.) responsible for coordinating Eionet activities on their territory.
 - To support data collection, management and analysis, the EEA established **European Topic Centres covering major environmental issues**. These centres are also networks, comprising some 90 specialised institutions across Europe.
- EEA maintains **the database of environmental indicators** and publishes **specialised reports** on: **air and climate** (air pollution, climate change adaptation and mitigation), **nature** (biodiversity — ecosystems, land use, soil, water and marine environment), **sustainability and well-being** (environment and health, policy instruments, resource efficiency and waste, sustainability transitions) and **economic sectors** (Agriculture, Energy, Industry, Transport).



Frontex

European Border and Coast Guard Agency



- Headquarters is in Warsaw, Poland
- Established in 2004 Frontex, the European Border and Coast Guard Agency, supports EU Member States and Schengen-associated countries in the management of the EU's external borders and the fight against cross-border crime.
- With over 42,000 km of coastline, almost 9,000 km of land borders, and around 300 international airports, the European Union sees around 500 million border crossings a year. The task of managing EU borders requires a clear picture of the current situation at all the EU's external borders. Frontex helps to provide this with 24/7 monitoring of the borders, collecting and sharing information with authorities at the national and EU level.
- Frontex is a centre of excellence for border control activities at the EU's external borders, sharing intelligence and expertise with all Member States and with neighbouring non-EU countries affected by migratory trends and cross-border crime including the UK.
- With the standing corps, the European Union's first uniformed law enforcement service, Frontex has transformed into an operational arm of the EU.
- Frontex Officers perform a variety of tasks such as border surveillance, fighting cross-border crime, and assisting in return operations. The officers stand together with national authorities to safeguard the Schengen Area, one of Europe's greatest achievements.



Frontex European Border and Coast Guard Agency



- **Frontex** collaborates closely with national authorities and EU agencies, including Europol, to stop cross-border crime and make European Union safer and more secure.
- **Frontex** is also involved in the European cooperation on coast guard functions in close cooperation with the European Fisheries Control Agency (EFCA) and European Maritime Safety Agency (EMSA).
- In its operations, **Frontex** targets not just migrant smuggling and trafficking in human beings, but also other serious crimes that affect the security the EU and its people, ranging from the smuggling of drug, firearms, stolen cars and counterfeit goods to document fraud and environmental crime.
- In some cases, the same routes and modus operandi are used for migrant smuggling and trafficking of illegal goods. Convergence of illegal activity.



Frontex European Border and Coast Guard Agency



- **The complex character of cross-border crime threats requires a comprehensive operational response at the borders** – the first filter to stop illegal activities before they harm EU citizens and EU internal security. For this reason, efforts to combat organised crime by EU member states, non-EU partners and Frontex at the EU's external borders need to be **based on the risk analysis and identified criminal threats**.
- The agency may provide technical and operational assistance to EU Member States to reinforce their capacity. Such support may consist of **expertise, training, advice on appropriate technological tools or launching operational response**.
- Frontex takes part in Joint Action Days – international operations that bring together national law enforcement authorities, international organisations and EU agencies to take on serious and organised crime. These operations are coordinated under the umbrella of the European Multidisciplinary Platform Against Criminal Threats (**EMPACT**).
- A rapid border intervention is designed to bring immediate assistance to a Member State that is under urgent and exceptional pressure at its external border, especially related to large numbers of non-EU nationals trying to enter the territory of a Member State illegally.
- **The interventions rely on the rapid reaction** pools of 1500 officers and equipment from Member States, which are required to provide them – officers and staff within five days and equipment within 10 days.



European Border and Coast Guard Agency Frontex will host ETIAS



- From Mid-2025, people from more than 60 currently visa-free countries will need to get a travel authorisation before coming to Europe. The authorisation will be processed through the European Travel Information and Authorisation System (ETIAS).
- ETIAS will further strengthen Europe's internal security by carrying out pre-travel screening of visa-free travellers to determine whether they pose a security, illegal immigration, or public health risk.
- The entire ETIAS ecosystem is complex and consists of the ETIAS Central Unit hosted by Frontex, ETIAS National Units located in 30 European countries, and the large-scale information system developed and maintained by eu-LISA.
- eu-LISA- EU Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice and Manage operations of the Schengen Information System (SIS), the Visa Information System (VIS) and Eurodac



Frontex Example Operation MMO



- **Multipurpose Maritime Operations** (MMO) in the Black Sea. The MMO in the Black Sea, led by **Frontex** and conducted in coordination with the European Fisheries Control Agency (**EFCA**), the European Maritime Safety Agency (EMSA) and six Bulgarian and Romanian national authorities aimed at preventing, detecting and combating illegal immigration, illegal fishing activities, marine pollution and other cross-border crimes.
- The third MMO was organised in the Black Sea from March to October 2021.
- By September 14, 2021, a total of 152 containers with illicit waste from numerous countries have been discovered in Constanta and Burgas. Additionally, participants detected eight cases of potential marine pollution and reported them to EMSA.
- Seven of these cases were related to possible oil pollution and one to illegal waste dumping at sea.



Europol European Agency for Law Enforcement and Co-operation



- Headquartered in The Hague, the Netherlands
- Established 1999, **Europol**'s mission is to support its Member States in preventing and combating all forms of serious international and organised crime, cybercrime and terrorism. Europol also works with many non-EU partner states and international organisations including US and UK.
- It works with police forces and enforcement authorities as Europe's security advisor.
- Large-scale criminal and terrorist networks pose a significant threat to the internal security of the EU and to the safety and livelihood of its people. The biggest security threats come from: terrorism; international drug trafficking and money laundering; organised fraud; the counterfeiting of euros; trafficking in human beings.
- **Europol** not only works closely with law enforcement in fighting a diverse range of crimes, it also provides valuable intelligence and highlights new trends



EMPACT European Multidisciplinary Platform Against Criminal Threats



- The EU policy cycle **EMPACT** (European Multidisciplinary Platform Against Criminal Threats) is a security initiative driven by EU Member States to identify, prioritise and address threats posed by organised and serious international crime. EMPACT brings together a broad range of multidisciplinary professionals from Member States and third countries to take concrete actions against criminal networks. Participants include law enforcement authorities, the judiciary, EU agencies, customs and tax offices and private partners. With EMPACT, every year over 200 operational actions are carried out in targeted key crime areas.
- EMPACT operates in four-year cycles. Every four years, Europol produces the *European Union Serious and Organised Crime Threat Assessment (EU SOCTA)*, based on input provided by Member States and other stakeholders, including Eurojust. The EU **SOCTA** identifies the major criminal threats affecting the European Union and sets out potential crime priorities.
- **Current EMPACT cycle (January 2022 - December 2025)** note priority areas

The EU **SOCTA** is then used by the European Commission and the Presidency of the Council of the European Union to advise Justice and Home Affairs ministers so they adopt the EU crime priorities being fought by EMPACT over the following four years. A multi-annual strategic plan and corresponding goals are drawn up based on these key priorities to form the basis of Operational Action Plans (OAPs).

High-risk criminal networks, Cyber attacks, Trafficking in human beings, Child sexual exploitation, Migrant smuggling, Drug trafficking, Fraud, economic and financial crimes, Organised property crime, **Environmental crime**, Firearms trafficking



A joint operation coordinated by Europol Example Case



- **Operation LAKE** ran from October 2022 to June 2023 and led to the arrest of 256 persons responsible for the trafficking of 25 tonnes of **live glass eels** worth around EUR 13 million. 8 tonnes of these baby eels were already on their way out of the EU towards Asia, where they were due to be raised in fish farms and sold worldwide upon reaching adulthood.
- **Europol** coordinated the operational activities, hosted a virtual command post, facilitated the information exchange and provided analytical and forensic support to national law enforcement authorities across continents. During the action days, Europol deployed experts to the hot spots to cross-check operational information against Europol's databases in real time and provide leads to investigators in the field.



A joint operation coordinated by Europol in environmental crimes - Example



- **Operation COBRA III**, March 2015- May 2015
- The biggest ever coordinated international law enforcement operation targeting the illegal trade in endangered species, has led to the recovery of a huge amount of wildlife contraband, including
- Over 12 tonnes of elephant ivory
- At least 119 rhino horns.
- European seizures include 11,439 dead and live specimens, almost 2000 parts and products, and over 6 tonnes of timber, plants and animal parts.
- In addition, 100,000 pills of traditional Asian medicine were confiscated. Several individuals have been arrested and enforcement action was taken in many countries.



Europol

Joint operation at Ukrainian/Moldovan border



- Over 578 firearms and 776 pieces of ammunitions were seized as part as a joint operation targeting the illegal movement of firearms, explosives, chemical, biological, radiological and nuclear material through the Ukraine/Republic of Moldova border. 5 pieces of explosives and 1 package of radioactive material were also seized at the border as part of this operation.
- Taking place throughout April 2017 and co-ordinated by the European Union Border Assistance Mission to Moldova and Ukraine (EUBAM), this operation saw the involvement of **Europol**, **Frontex**, the **Southeast European Law Enforcement Center (SELEC)** and law enforcement agencies of Ukraine, Moldova, Greece, Romania and Spain.
- Europol was instrumental in providing analytical support during the preoperational and operational phases.



European Union Agency for Criminal Justice Cooperation - Eurojust



- **Eurojust** is a unique co ordinating authority based in The Hague, the Netherlands,
- **Eurojust** was created in 2002 as the EU Judicial Cooperation Unit and brings together prosecutors and judges from across the EU and beyond, in an effort to effectively tackle all forms of serious cross-border crime.
- The Eurojust Regulation (Regulation of the European Parliament and of the Council on the European Union Agency for Criminal Justice Cooperation, replacing and repealing Council Decision 2002/187/JHA) was adopted on 6 November 2018 and became directly applicable on 12 December in the Member States, without a need for national transposition.
- The role of **Eurojust** is to help make Europe a safer place by coordinating the work of national authorities – from the EU Member States as well as third States – in investigating and prosecuting transnational crime.
- A new relationship between Eurojust and the **European Public Prosecutor's Office** (EPPO) has been established based on mutual co-operation within their respective mandates and competencies, and the development of operational and management links.
- Since it was adopted in 2018, the Eurojust Regulation has been amended twice:
- On 1 June 2022, the Eurojust Regulation was amended, giving the Agency the legal possibility to collect, preserve and share evidence on war crimes.
- On 31 Oct 2023, the Eurojust Regulation was amended again to enhance the EU fight against terrorism.



European Union Agency for Criminal Justice Cooperation - Eurojust



- Each participating EU Member State second a National Member to **Eurojust**. The National Members form the College of Eurojust, which is responsible for the Agency's operational work.
- The College, in turn, is supported by the Eurojust Administration, which includes, among others, case analysts, legal advisors and data experts.
- The Agency's custom-built premises provide secure meeting facilities with possibilities for interpretation into all EU languages and a meeting room specifically developed for coordination centres, from which joint action days can be monitored/coordinated in real time.
- **Eurojust** has developed a cohesive international network that grants prosecutors around the European Union access to more than 70 jurisdictions worldwide.
- The Agency has signed co-operation agreements with a dozen non-EU states, several of which have seconded Liaison Prosecutors to Eurojust to work on cases with their counterparts in the College. Eurojust also works closely with other EU agencies and partners that support the various stages in the criminal justice chain, including law enforcement and anti-fraud bodies.
- **Liaison Prosecutors** (LPs) come from countries outside the EU and are posted at Eurojust based on the international agreement with the respective country. They work side by side with their colleagues from Member States to provide support in cross-border investigations involving their country. In the interest of facilitating judicial cooperation between Eurojust and the third country, LPs have access to Eurojust's operational tools and facilities, including the use of office space and secure telecommunications services.

Eurojust and Albania signed a Cooperation Agreement in October 2018, with the first Liaison Prosecutor, Fatjona Memcaj, taking up her duties in January 2021.



Eurojust-Life cycle of a case



- A case can be opened at the initiative of a:
- **National Authority**, Competent authorities in the Member States and in third States that have posted a Liaison Prosecutor to Eurojust can make a request for assistance with their investigations/prosecutions. The request is made via the National Desk of the Member State at Eurojust.
- the **European Public Prosecutor's Office (EPPO)** and
- the **Eurojust College**, for example in order to involve Member States that might not initially have been included in the case, and upon discovering links between cases based on the information received from Europol, the European Anti-Fraud Office (OLAF), the EPPO and national authorities (on e.g. terrorism information exchange, notifications under Article 21 EJR, etc.).
- Each case is unique and requires a tailor-made response, ranging from a rapid reaction to coordinated actions, using a range of tools such as coordination meetings,
- the coordination centre and the formation of **joint investigation teams (JITs)**.
- In 2022, EUROJUST was involved in a number of cases regarding environmental crime:
 - -14 ongoing from previous years and 41 new cases;
 - -6 JIT, all ongoing from the previous years
 - -7 –specific co- ordination meetings



Eurojust-EMPACT



- Intelligence- and analysis-led, **EMPACT** widens the scope for prosecutors and investigative judges, enabling an integrated and long-term approach to tackle major crimes in the identified key areas and increased learning experiences for all participants. The involvement of prosecutors at the early stages of investigations and actions is especially valuable to ensure these interventions lead to justice being done.
- As a well-proven, ready-made solution, EMPACT allows participants to make optimal use of existing capacities, resources and best practice during time-sensitive cases.
- **Eurojust** is well equipped to assist prosecutors in coordinating the judicial follow-up for these cases – preferably from the early stages of the investigations.
- Eurojust provides access to its full range of tools, including coordination meetings, coordination centres and funding for joint investigation teams (JITs).
- With its experience and expertise in judicial cooperation, **Eurojust** offers quick and efficient solutions to tackle legal issues in cross-border cases, including conflicts of jurisdiction, extradition, admissibility of evidence and the freezing and recovery of assets.
- Eurojust takes the lead in one Operational Action on judicial cooperation and coordination under one or more crime priorities.



European Union Agency for Criminal Justice Cooperation (Eurojust)- Example



Operation Carpatos: Tackling an organised crime group involved in illegal fishing, tax evasion and money laundering



May 2019
Simultaneous actions by national authorities in Romania, Spain, France, Italy, Hungary and Portugal were supported through a coordination centre at Eurojust, including real-time coordination of three EIOs from Romania towards Hungary.
Operational results included 250 searches, the arrest of 13 suspects, and the seizure of 11 boats and 30 tonnes of illegally caught fish.



Two coordination meetings were held at Eurojust with the participation of Europol, to exchange information, decide on the investigative and prosecutorial strategies and resolve judicial and operational issues. Europol assisted the investigations with cross-matching of information and demonstrating links to France and Italy.



2018
National authorities of Romania initiated a criminal investigation into a cross-border OCG involved in illegal fishing, tax evasion and money laundering. Spanish authorities launched a parallel investigation into the same OCG, followed by authorities in Italy and France.





Networks of Environmental Law Enforcement and the Judiciary



- **IMPEL** - European Union Network for the Implementation and Enforcement of Environmental Law, a network of Environmental Inspectors:
- Established in 1992:
- International not for profit association of the environmental authorities of the European Union Member States, accession and candidate countries of the EU, EEA and EFTA countries and potential candidates to join the European Community;
- Mission: is ensuring effective implementation and enforcement of European environmental law by promoting professional collaboration, information, and best-practice exchange between environmental regulators.
- **EUJFE** - The European Union Forum of Judges for the Environment, was created in 2003;
- The objective of **EUJFE** is to contribute to better implementation and enforcement of national, European and international environmental law:
 - - by contributing to a better knowledge of environmental law among judges,
 - - by sharing case law, and
 - - by sharing experience in the area of training of the judiciary in environmental law.



NETWORKS OF LAW ENFORCEMENT AND JUDICIARIES REGARDING ENVIRONMENTAL CRIME



- **EnviCrimeNet, the Environmental Crime Police Network**

Was created on the basis of the EU Council Resolution of 9-10 June 2011

- Informal network connecting police officers in the field of environmental crime - aims to improve the results of the fight against environmental crime.
- The network also delivers strategic products, such as the LIFE+ Satec Project on Environmental Crime
- Establishing tactical analyses of particular forms of environmental crime;
- Establishing joint investigations into environmental crime;
- Exchanging investigation methods;
- Creating the right training and capacity building for officers, in cooperation with Cefpol.

ENPE - European Network of Prosecutors for the Environment

- **ENPE objective:** *“to promote the enforcement of environmental criminal law by supporting the operational work of environmental prosecutors”*
- Was established in 2012 in Brussels, Belgium with members representing prosecuting organisations from 7 different European countries. ENPE has enjoyed significant growth, including expansion beyond Europe to include member organisations from Latin America and North Africa. It has become a registered international non-profit association with 51 organisational and individual members, representing 32 different countries.
- **ENPE activities:**
 - Supports Directorate General for Environment (DG ENV) in contributing to the Environmental Compliance Assurance initiative and associated work programmes e.g. Zero Pollution Action Plan; revision of Environmental Crime Directive
 - Three ENPE Working Groups – Waste & Illegal pesticides; Wildlife crime and Pollution, provide training and guidance to operational prosecutors;
 - Works with the US DoJ, Eurojust & Europol to cooperate and collaborate as needed in tackling transnational environmental crime e.g. Maritime environmental crime (La Rochelle), wildlife crime and international waste crime and works in collaboration with the other networks to hold the 4NC conferences (Rome).



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**European Network of
Prosecutors for the
Environment**
Réseau des Procureurs Européens pour
l'environnement





Networks of Law Enforcement Officials and the Judiciary The Four Networks



Statement from the **Four Networks** on Environmental Crime 2023 arising from the last 4NC conference

Held in Rome on 28 -29 September 2023

- 1. We need new techniques to prevent and detect environmental offences, such as big data analysis, geo- intelligence, including satellites, and drones, and artificial intelligence;
- 2. We need administrative and criminal law enforcement to complement each other.
- 3. We need to make environmental crime unprofitable.
- 4. We need to assess, remediate and compensate for the damage incurred.
- 5. We need to measure enforcement results.

- <https://environmentalprosecutors.eu/conference2023>



Combatting Environmental Crime- Example Case



Operation Retrovirus

- At the beginning of the COVID-19 pandemic, **Europol** foresaw a global problem with illegal sanitary waste processing and disposal. Added to **SOCTA**.
- In response, Operation Retrovirus was launched **in coordination with EnviCrimeNet**. The aim of This action, conducted between March and November 2020, was the early detection of illegal collection, management, transportation and disposal of sanitary waste.
- **Europol** created the concept, coordinated, and supported the operation by providing analytical and operational support and coordination, while also facilitating a secure instant communication exchange between the participating authorities.
- **Europol** supported investigators with the extraction of encrypted data from mobile devices and operational analysis in real-time during action days.
- **Frontex** contributed to Operation Retrovirus by providing a situational assessment (cross-border crime scenario) and comprehensive training on detection of sanitary waste and medical devices.
- **Frontex** also provided tests and sanitary products to staff deployed in border crossing points, particularly customs and police authorities of Member States.

Established in 2013, the European Border Surveillance system (EUROSUR) is a **framework for information exchange and cooperation** between Member States and Frontex to improve situational awareness and increase reaction capability at the external borders.

Eurosur aims are to

- **prevent cross-border crime**
- **prevent irregular migration**
- **contribute to protecting migrants' lives**

Frontex operates EUROSUR, composed of national authorities of Member States responsible for border management, including coast guards, to the extent that they carry out border control tasks.

Frontex is responsible for coordinating the **EUROSUR Fusion Services** - Frontex shares information collected from satellites and other surveillance tools such as the ones used by the European Maritime Safety Agency and the EU Satellite Centre with Member States.



Combatting Environmental Crime - Example Case



Operation Retrovirus – Covid related sanitary waste

Aim - Halting the illegal trafficking, storage, dumping and shipment of covid waste and document fraud. It was co-ordinated by Europol.

- Participation - **DG Environment, EnviCrimeNet, IMPEL, Frontex, Interpol and EL PacCTO**
- Participating countries 30, EU and non-EU countries
- Number of inspections 280,000
- Number of arrests 102
- Number of infringements- 819 entities and individuals given administrative sanctions
- 819 Seizures - 22 consignments of waste and 800 000 € worth of assets
- EL PACCTO (Europe Latin America Programme of Assistance against Transnational Organised Crime) is an international cooperation programme funded by the European Union that seeks to contribute to security and justice in Latin America by supporting the fight against transnational organised crime. In its intervention, EL PACCTO addresses the entire criminal chain from an integral perspective through its work in three components: police, justice and imprisonment.

The Spanish Civil Guard's environmental unit, SEPRONA (Guardia Civil) investigated the activities of an enterprise operating in Barcelona, Madrid, Murcia, Valencia, Tarragona and Zaragoza. The company had links with another organisation operating in Lisbon, Portugal. Spanish officers searched 9 locations and arrested 20 individuals for crimes against the environment, labour rights and public health. The sanitary waste, collected by the company, is supposed to be sterilised at high pressure to eliminate all hazardous components. To increase profits, the company reduced the time of treatment. This resulted in the waste not being properly sterilised before disposal; an inadequate treatment which caused high risks for public health. In Portugal, the National Republican Guard (Guarda Nacional Republicana) inspected more than 2 000 companies, hospitals and health centres. These activities led to administrative violations, 30 arrests and the seizures of assets worth almost € 790 000.

Law enforcement authorities also focused on the transport of sanitary waste across the EU. Authorities from Czechia, Poland, Romania and Slovakia checked cargo and identified illegal shipments, which were then sent back to their country of origin.



European Monitoring Centre for Drugs and Drug Addiction (EMCDDA)



- Is the leading authority on illicit drugs in the European Union established in 1995. Based in Lisbon, Portugal
- Its expertise helps to ensure that the decisions of EU and national policymakers, professionals and practitioners are based on objective and verified facts, not ideology or moral and value judgements. It frequently identifies important drug-related threats, helping EU countries be better prepared to handle them.
- **Drug production and trafficking causes environmental damage**
- Research on the links between drugs and climate change indicates that the cultivation fuels deforestation contributing to increased levels of carbon dioxide in the atmosphere.
- Processing drug crops causes contamination of the aquatic environment and soil, leading to a loss of biodiversity, harming ecosystems.
- Further, the transportation of drugs to consumer markets via air, sea and land routes has an environmental impact that is not currently well understood, and more research is needed on this topic.
- **Synthetic drug production generates chemical waste**
- The production of synthetic drugs in the EU generates an estimated 11 000 tonnes of chemical waste each year. (A recent European project on wastewater, [EUSEME](#), found crack cocaine residues in all 13 participating cities and for all sampling days, with the highest loads reported in Amsterdam and Antwerp)
- The environmental impact of waste from synthetic drug production is still poorly understood, however, it is hazardous to health and the burden of costs on society are substantial. Drug production wastes natural resources.

The production of illicit drugs consumes considerable amounts of energy and attempts to quantify this have been made.

For example, researchers have estimated the carbon footprint for the production of one kilogram of dried cannabis grown indoors to be equivalent to 4.6 tonnes of carbon dioxide.



Other relevant European Institutions or Agencies



1. **OLAF** The **European Anti-Fraud Office** investigates and prevents fraudulent use of EU funds. It also develops the European Commission's anti-fraud policy. Hosted by Eurojust in the Hague.
2. **CEPOL** The **European Union Agency for Law Enforcement Training**. Located in Budapest Hungary. Facilitates cooperation and knowledge sharing among law enforcement officials of the EU Member States
3. **EU-TWIX** The **Trade in Wildlife Information Exchange**. The **EU-TWIX** website holds a database which centralises information on wildlife trade seizures submitted by European enforcement agencies including the police.
4. **EJTN** The **European Judicial Training Network** is the principal platform and promoter for the training and exchange of knowledge of the European judiciary. Works with judicial training institutes in Member States.
5. **EJN** The **European Judicial Network** in criminal matters (**EJN**) is a Network of national Contact Points for the facilitation of judicial cooperation in criminal matters. Hosted by Eurojust in the Hague. Excellent judicial atlas.

And

- **TRAFFIC** is a leading **NGO** working globally on trade in wild animals and plants in the context of both biodiversity conservation and sustainable development
- **UNEP** **United Nations Environment Programme** is the United Nations specialist programme for the environment.
- For over 50 years, UNEP has worked with governments, civil society, the private sector and UN entities to address humanity's most pressing environmental challenges - from restoring the ozone layer to protecting the world's seas and promoting a green, inclusive economy.
- UNEP's mission is to inspire, inform, and enable nations and peoples to improve their quality of life without compromising that of future generations.