



**COUNCIL OF
THE EUROPEAN UNION**

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NOTE

From:	Presidency
To:	Law Enforcement Working Party
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Subject:	Draft Council Resolution on the creation of an informal network for countering environmental crime - "EnviCrimeNet"

On the basis of the results of the expert-level Conference of the Augias Project held in Budapest on 24 and 25 March 2011, where an informal platform for countering environmental-related crimes called "EnviCrimeNet" was launched, the Presidency proposes the draft Council Resolution on the creation of an informal network for countering environmental crime set out in annex in order to give more impetus to this specific area of law enforcement cooperation.

**Draft Council Resolution on the creation of an informal network for countering
environmental crime - "EnviCrimeNet"**

THE COUNCIL OF THE EUROPEAN UNION,

UNDERLINING that environmental crime in general and illegal waste trafficking in particular are serious offences because they pose a threat to the environment and public health, and are often characterised by their international and cross-border nature,

TAKING INTO ACCOUNT the guidelines of the Stockholm Programme – an open and secure Europe serving and protecting citizens¹ aiming to provide a safe environment, protect citizens and promote greater civil protection of society as well as its general aim of enhancing and fostering a law enforcement (...) cooperation, in particular, to combat forms of crime that are typically cross-border in nature,

ACKNOWLEDGING that the various instruments² and seminars³ and coordinated enforcement actions⁴ in the field of waste trafficking have already brought about tangible results,

¹ OJ C 115, 4.5.2010, p.1.

² Council Conclusions on the Prevention and Combating of the Illegal Trafficking of Waste, particularly in international trafficking (5956/5/10 REV 5 CRIMORG 21 ENV 54 ENFOCUSTOM 11 ENFOPOL 143) *and* the Recommendation of the European Parliament and of the Council of 4 April 2001 on providing for minimum criteria for environmental inspections in the Member States (OJ L 118, 27.4.2001, p. 41).

³ The seminar of experts of the EU on combating international trafficking in toxic waste, held in Paris from 7 to 9 October 2008 (the report of this seminar is contained in doc. 16254/08 CRIMORG 205 + COR 1) and the seminar on Policing Environmental Crime held in the NL in November 2009.

⁴ Actions coordinated by IMPEL – TFS (a network of representatives from enforcement authorities of the Member States and some other European countries dealing with matters on Transfrontier Shipments of Waste, which is a part of the European Network for the implementation and Enforcement of Environmental Law (IMPEL) association) and by WCO.

HAVING REGARD to the work achieved during the AUGIAS Project funded by the European Commission⁵,

BEARING IN MIND that Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste⁶ and Directive 2008/99/EC of the European Parliament and of the Council on the protection of the environment through criminal law⁷ (...) establishes common rules on criminal offences which make it possible to use effective methods of investigation and assistance within and between Member States,

REITERATING the importance of the powers conferred on Europol and EUROJUST in the field of environmental crime, and on other international bodies such as INTERPOL and the UNODC,

WELCOMING the results of the AUGIAS Project including the development of a manual and a pocket book ("photo pocket") aimed at helping European law enforcement officers to implement European legislation with regard to international waste transport,

TAKING INTO ACCOUNT the outcome of the expert-level conference of the AUGIAS Project held on 24 and 25 March 2010, which favoured the creation of an informal European network supported by Europol to combat environmental crime with a cross-border nature - "EnviCrimeNet",

CONVINCED that "EnviCrimeNet" will be an appropriate platform and forum for exchanging non-operational information and experiences with a view to combating effectively and efficiently environment-related cross-border crime,

⁵ JLS/2009/ISEC/AG/052.

⁶ OJ L 190, 12.7.2006, p. 1.

⁷ OJ L 328, 6.12.2008, p. 28.

WELCOMES the creation of an informal network for countering environmental crime called "EnviCrimeNet", supported by Europol, with the overall aim of combating environment-related crime, in particular through the following objectives and measures:

- ensuring that Member States become aware of countering environmental crime at a strategic level;
- identifying criminal networks suspected of being involved in illicit waste trafficking in order to determine the links between such networks and other forms of (organised) crime and to identify routes, destinations, modi operandi and trends and types of criminal activities;
- identifying the indicators of cross-border or even domestic criminal activity in connection with environmental crime;
- improving the exchange of information and the gathering of criminal intelligence as well as carrying out risk and threat assessment studies on a regular basis;
- gathering and sharing information on trends in environmental crime in close cooperation with the different national and international stakeholders;
- training officers and exchanging best practices.

ENCOURAGES the Member States to participate in the informal network,

ENCOURAGES the competent law enforcement authorities of the Member States to collaborate more closely at EU level in countering environmental crime, in particular illegal waste trafficking,

ENCOURAGES the competent law enforcement authorities and authorities responsible for the protection of environment of the Member States to coordinate their actions in countering environment-related crimes having a cross-border nature,

CALLS ON the Member States to systematically use Europol's Secure Information Exchange Network Application (SIENA) for exchanging operational information on environment-related crime within the framework of the current EU and national legislation,

INVITES the "EnviCrimeNet" to fully benefit from the Europol Platform for Expert (EPE) - a secure online forum for exchanging knowledge and best practices,

INVITES Europol to consider the establishment of a dedicated focal point for environmental crime as part of the possible upcoming implementation of the revised AWF concept,

INVITES CEPOL to create a common curriculum on minimum training standards for all senior law enforcement staff engaged in the countering environmental crime,

RECOMMENDS that the competent structures of the Council are informed about the activities of the "EnviCrimeNet" on a regular basis.
