

INTRODUCTION TO EU ENVIRONMENTAL CRIME LAW

Tirana, 11-12 December 2023

Speakers

Elvana Çiçolli, Judge, Administrative Court of Appeal, Tirana

Michael Faure, Professor of Comparative and International Environmental Law, Maastricht University

Remus Jurj, Associate Professor, Maritime University of Constanța; former prosecutor; European Network of Prosecutors for the Environment (ENPE) Member (online)

Arben Rakipi, Director, Albanian School of Magistrates, Tirana

Afrim Shala, Judge, Supreme Court, Pristina

Grazia Maria Vagliasindi, Associate Professor of Criminal Law, University of Catania

Key topics

- Environmental Crime Directive
- EU policy on environmental crime
- Economic impact and tools to fight environmental crime
- The role of EU agencies
- Environmental crime relating to wildlife trafficking and illegal fishing
- Investigation and prosecution of water and waste crime
- The role of national judges
- CJEU case law
- National implementation and case law

Language

English and Albanian (with simultaneous interpretation)

Event number

423D159

Organiser

ERA (Dr Luisa Cortat and Ramin Farinpour) in partnership with the Albanian School of Magistrates

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INTRODUCTION TO EU ENVIRONMENTAL CRIME LAW

Monday, 11 December 2023

09:00 Arrival and registration of participants

09:25 **Welcome and introduction**
Arben Rakipi

I. SETTING THE SCENE

09:30 **Environmental Crime Directive and protection of the environment through criminal law in the EU**

- Concepts and main elements
- Key obligations and main types of offences
- Interrelation between criminal and administrative enforcement
- Development of environmental criminal law in the EU and its Member States

Michael Faure

10:15 Discussion

10:30 **EU policy, legislative proposals and guidance on countering environmental crime**

- Proposal for a new Environmental Crime Directive: where do we stand?
- Communication on stepping up the fight against environmental crime
- Guidance on combating environmental crime and related infringements

Grazia Maria Vagliasindi

11:00 Discussion

11:15 Coffee break

II. IMPLEMENTATION OF EU ENVIRONMENTAL CRIMINAL LAW

11:45 **Overview of the economic impact of and tools for combating environmental crime**

- Background to the financial flows associated with transnational environmental crime such as wildlife trafficking, illegal logging and timber trade
- EU Anti-Money Laundering Directives
- Supporting financial institutions in addressing and reporting suspicious transactions.

Michael Faure

12:15 Discussion

12:30 **The role of EU agencies and bodies in the protection of the environment through criminal law**

- Europol, Eurojust, Frontex, EMCDDA, etc.
- European Commission: DG Just, DG TAXUD, DG MARE

Remus Jurj

13:00 Discussion

13:15 Lunch

14:15 **The role of the EU acquis and the Court of Justice of the European Union in environmental protection through criminal law**

- EU judicial enforcement of environmental criminal law
- CJEU case law

Remus Jurj

15:00 Discussion

Objective

The aim of this 1.5-day seminar is to provide participants with an introduction to the main EU provisions on combatting environmental crime. Emphasis will be given to the EU's Environmental Crime Directive and the role of the different institutions in this area of law: EU bodies, the CJEU and national judges. Participants will gain a sense of the EU's policies on environmental crime, their implementation at national level and its implications for prosecutorial, investigative and judicial work. The seminar will shed light on the protection of the environment through criminal law, with a special focus on different areas of environmental protection, including wildlife trafficking, illegal fishing, water and waste crime, wildlife crime and deforestation. By addressing these issues, the handling of future national court proceedings in this field will be facilitated.

Who should attend?

Albanian and Kosovar judges and prosecutors and prosecutors.

Venue

Shkolla e Magjistratures
Rruga Ana Komnena
Godina Poli i Drejtesise
Tirana

Your contact persons



Dr Luisa Cortat
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- 15:15 **Case analysis: wildlife trafficking and illegal fishing highlights**
Grazia Maria Vagliasindi
- 16:00 Discussion
- 16:15 Coffee break

III. ENFORCEMENT AT NATIONAL LEVEL

- 16:45 **Environmental criminal law in Albania and Kosovo**
- Overview of the main national legislation and policy
 - Application of international (European) law in national cases
- Elvana Çiçolli, Afrim Shala*
- 17:30 Discussion
- 17:45 End of first day

Tuesday, 12 December 2023

IV. PROTECTION OF THE ENVIRONMENT THROUGH CRIMINAL LAW IN PRACTICE

- 09:30 **Practical experience in investigating and prosecuting environmental crime in the EU: a closer look at water and waste crime**
- Enforcement, sanctions, and ancillary orders in the prosecution of offences
 - Usual *modus operandi*
 - Challenges in national and transnational cases
- Remus Jurj*
- 10:30 Discussion
- 10:45 Coffee break
- 11:15 **The role of a national judge in combating environmental crime**
- Access to justice
 - Judicial cooperation
 - Conflicts of jurisdiction
 - *Ne bis in Idem*
 - Albanian and Kosovar case law
- Elvana Çiçolli, Afrim Shala*
- 12:00 Discussion and exchange of experiences
- 12:15 Concluding remarks
- 12:30 End of seminar and light lunch