

Judicial cooperation of public prosecutors in environmental law in Belgium

W. Haelewyn
Public prosecutor Kortrijk

OVERVIEW

1. 10 reasons for specialisation and cooperation of public prosecutors in environmental law in Belgium;
2. Evolution in Belgium and Flanders;
3. Considerations;

Why specialisation and cooperation?

1. Legislation complex and in a very fast evolution;
2. A lot of small public prosecutor's departments (e.g. 5 to 10 Public Prosecutors);
3. Overcharged public prosecutor's offices;
4. Different prosecution politics;
5. Difficult to find public prosecutors who want to specialise in environmental law;

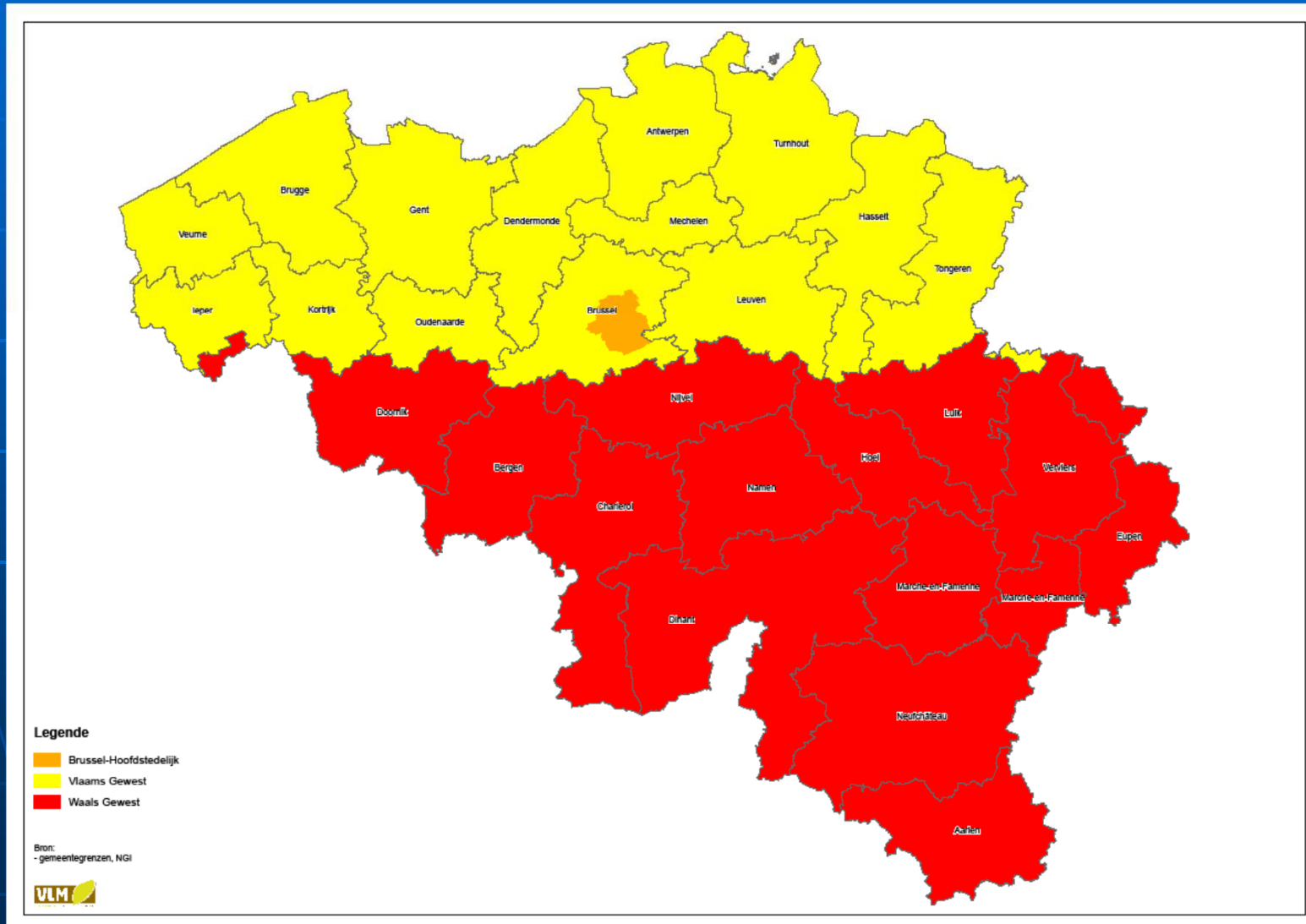
Why specialisation and cooperation?

6. Difficult to engage lawyers who are specialised in environmental law;
7. Flow of public prosecutors;
8. Specialised lawyers;
9. Inspections and administrations are also organised on a higher level;
10. Up scaling = less chances of being prepossessed by local offenders

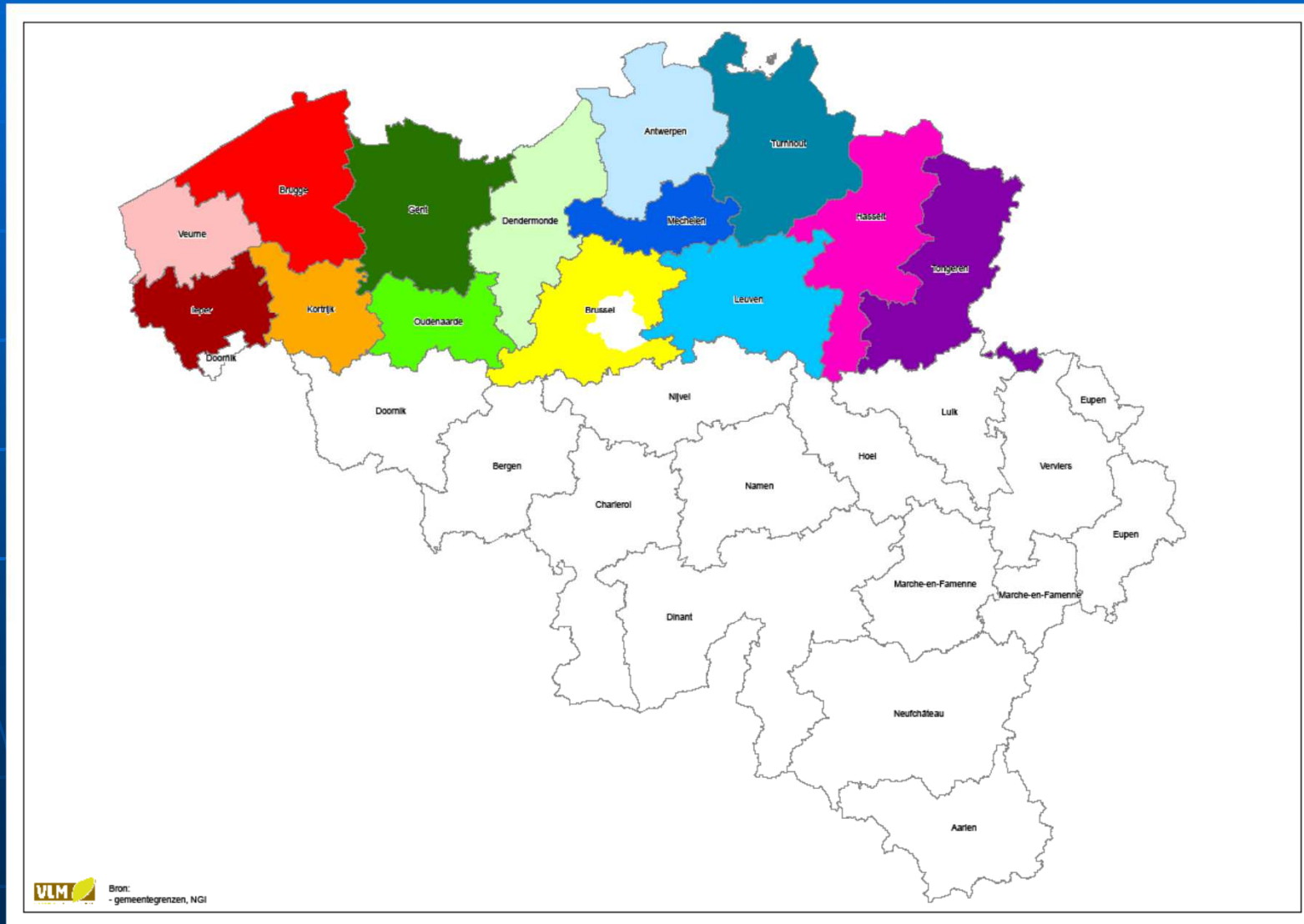
Situation from 1830 until 1980



Situation from august 1980



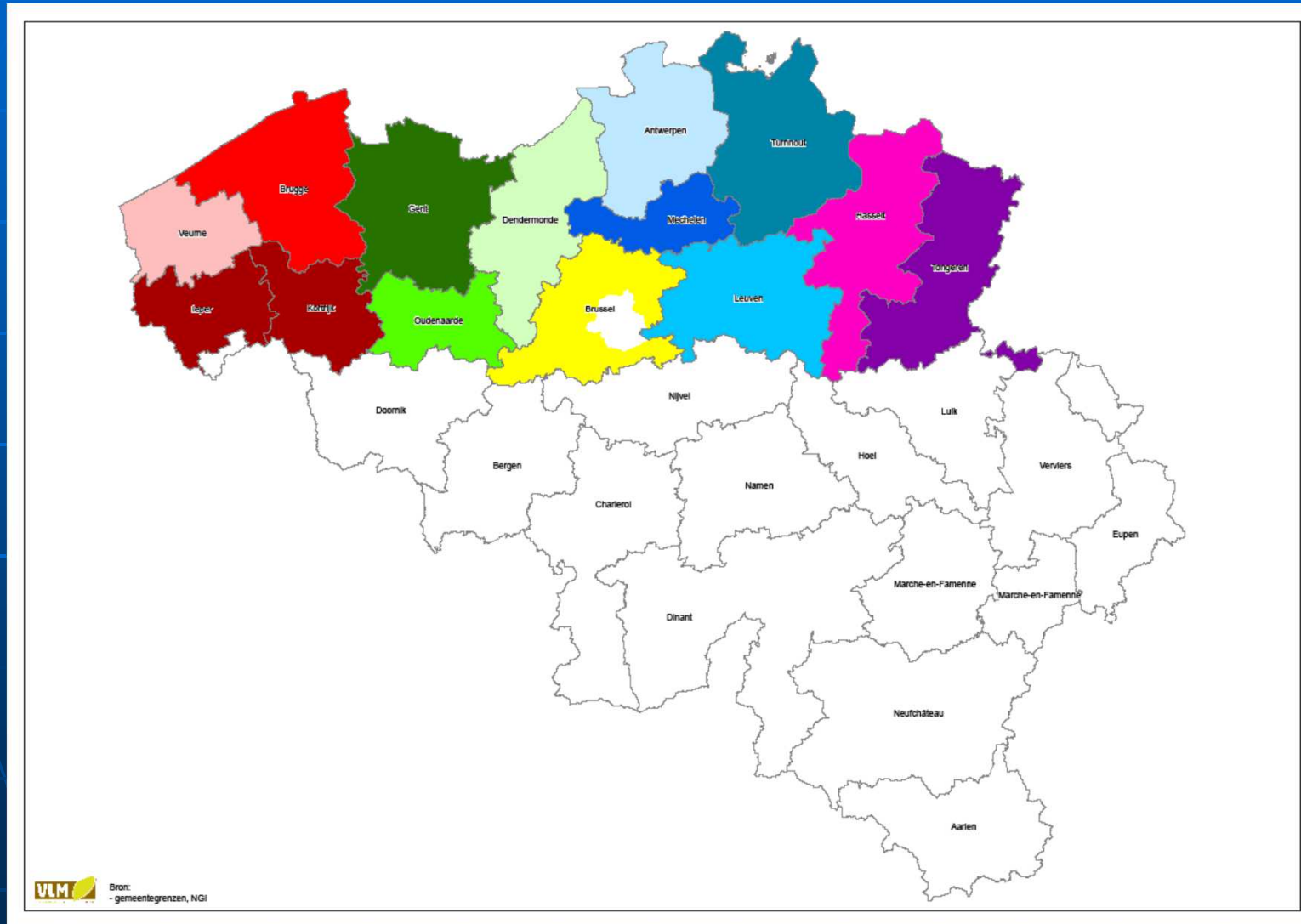
Situation from 1980 until 2007



November 19th 2007: cooperation agreement Kortrijk-Ieper

- Ieper: food safety and human health
- Kortrijk: environmental law and urbanisation;
- Starting point: January 1, 2008
- Not including: “illegal dumping of domestic waste” and other “small, local” dossiers

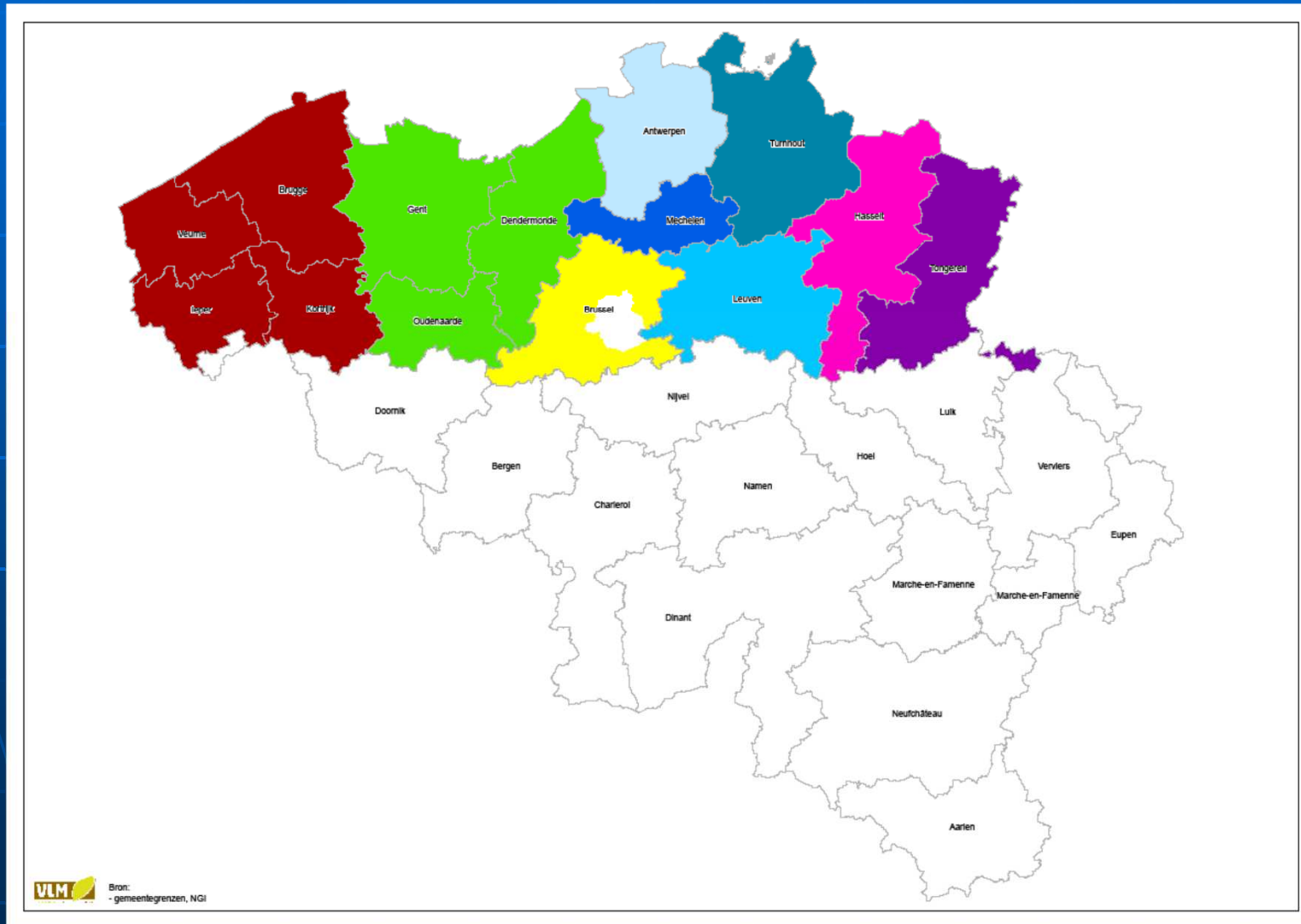
Situation from 2007 until now



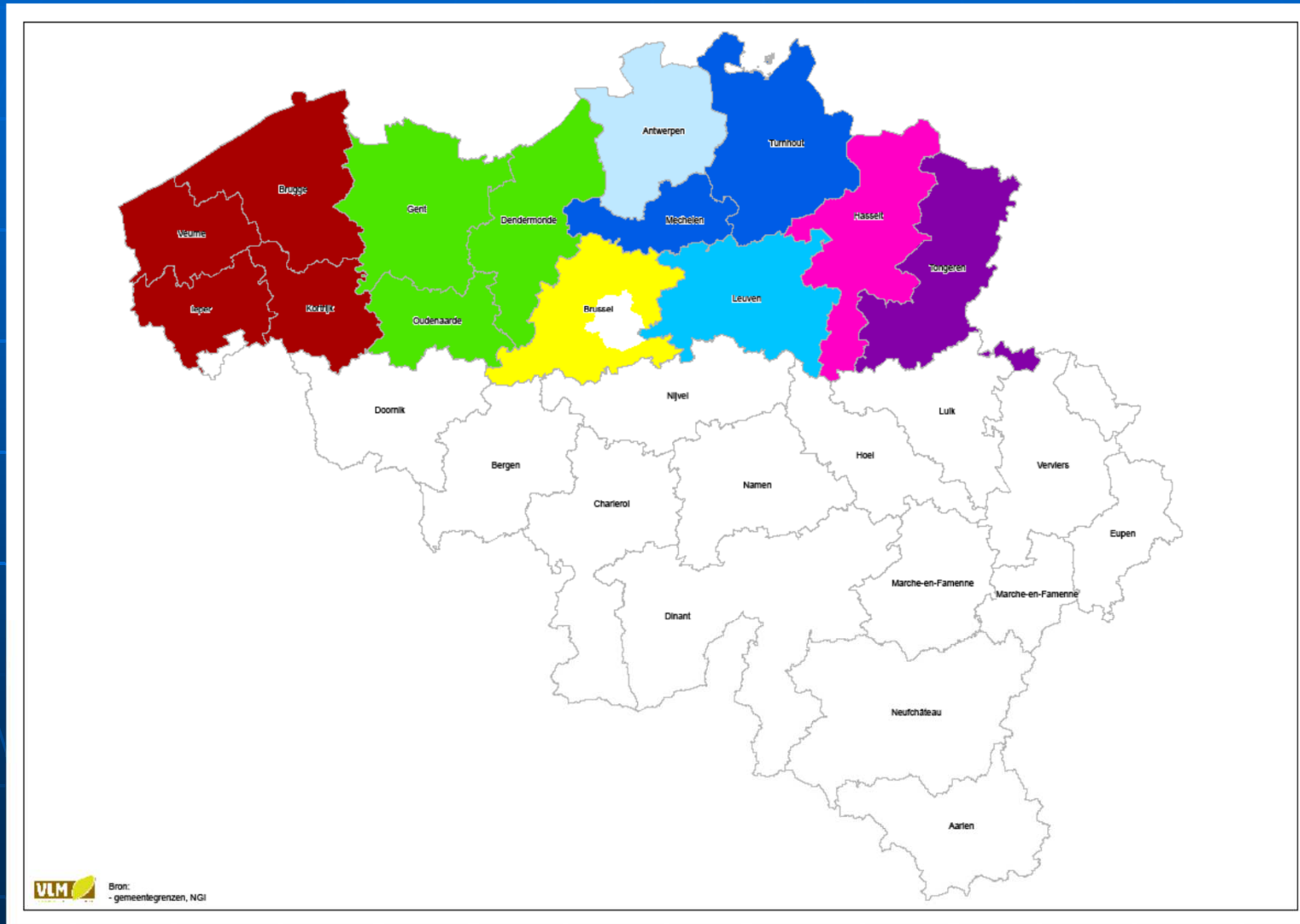
December 14th 2009: PSV

- Cooperation between 4 and 3 public prosecutors in 2 different province's;
- Matters:
 - Food safety and human health
 - IT-crimes and counterfeit
 - Human trafficking and human smuggling
 - Environmental law, urbanisation, animal welfare and quality of housing
- Implementation: November, 1st 2010

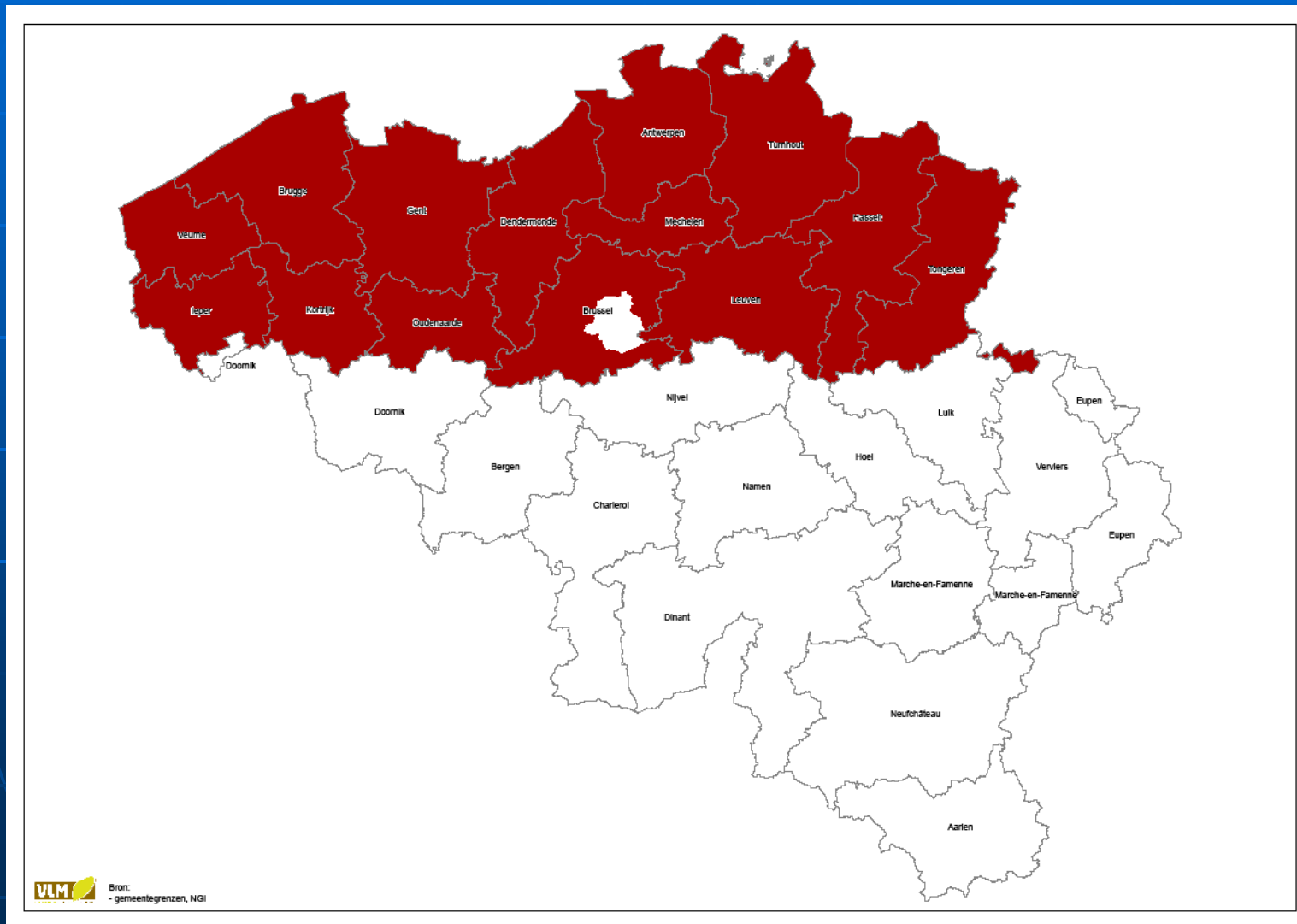
Erelong situation



Erelong situation



Ideal situation



Considerations

- Not the finish, but just a step to better prosecution of ECO-crime!!
- Cooperation of tribunals and judges??