



EUFJE BRUSSELS CONFERENCE
19 Octobre 2010

Joint meeting EUFJE
– public prosecutors



UNEP's Global Judges Programme

Global Judges Symposium on Sustainable Development
and the Role of Law, WSSD August 2002

Johannesburg Principles on the Role of Law and
Sustainable Development:

- “boldly and fearlessly” implement and enforce
- Critical role enhancement of public interest
- Capacity building
- Networking
- Collaboration

UNEP's Global Judges Programme-2

“That collaboration among members of the Judiciary and others engaged in the judicial process within and across regions is essential to achieve a significant improvement in compliance with, implementation, development and enforcement of environmental law.”

Judges ad hoc planning meeting for the development of a plan of work as a follow-up to the global judges symposium relating to capacity building of judges, prosecutors, and other legal stakeholders (01/2003)

UNEP's Global Judges Programme-3

- Regional and subregional judges fora
 - 2004: EUFJE
- Focus on Chief Justices
- Judicial Handbook
- Capacity building, assistance, exchange, sharing experiences

Inclusion of Prosecutors

2012: “Rio +20” Earth Summit

- to secure renewed political commitment to sustainable development;
- to assess progress towards internationally agreed goals on sustainable development and
- to address new and emerging challenges.

**LAUNCH UNEP GLOBAL INITIATIVE on
PUBLIC PROSECUTORS
& ENVIRONMENTAL LAW**



Focus on Environmental Crime

Environmental Crime, including of a transnational nature, pose a central barrier for the effective implementation of environmental law

Assist national environmental law enforcement authorities to engage more effectively across national borders to combat transnational environmental crime:

- Existing legal mechanisms dealing with transnational environmental crime;
- Problems and existing gaps in legal mechanisms for fighting transnational environmental crime;
- Possible approaches to improve international efforts to combat transnational environmental crime at all governance levels

Focus on Environmental Crime-2

UNEP administers Secretariats of Multilateral Environmental Agreements

- Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal
- Convention on International Trade in Endangered Species of Wild Fauna and Flora

Focus on Environmental Crime-3

Multilateral Crime Prevention Agreements:

- UN Convention against Transnational Organized Crime
- OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions
- UN Convention Against Corruption

Regional Focus on Environmental Crime

- Council of Europe – Convention on the Protection of the Environment through Criminal Law
- European Union – Community Directive on the protection of the environment through criminal law
- Lusaka Agreement on Cooperative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora
- Southern African Development Community (SADC) Protocol on Wildlife Conservation and Law Enforcement

Extended National Jurisdiction Laws on Environmental Crime

In response to the growth in transnational crime, some national criminal laws are enacted with extended jurisdiction enabling them to have effect beyond their enacting State's geographic territory. If harmonised, these 'long arm' environmental laws could facilitate cooperative environmental law enforcement.

United Nations Institutions for Environmental Law Enforcement

- UNGA, ECOSOC
- UNEP: Green customs
- United Nations Congress on the Prevention of Crime and the Treatment of Offenders
- Commission on Crime Prevention and Criminal Justice
- UN Interregional Crime and Justice Research Institute
- United Nations Office on Drugs and Crime

Professional Law Enforcement and Justice Organisations

- INTERPOL
- World Customs Organisation
- Financial Action Task Force
- International Network for Environmental Compliance and Enforcement
- Asian Environmental Compliance and Enforcement Network
- Asian/Pacific Group on Money Laundering
- European Union Network for the Implementation and Enforcement of Environmental Law

Identification of Gaps

- Conceptual gaps
- Harmonisation gaps
- Cooperation gaps

Possible New Approaches

- Research transnational environmental criminal laws
- Develop international legal instruments
- Harmonise national laws
- Enhance international law enforcement cooperation
- Coordinate national capacity building



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