



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

Workshop for judges and prosecutors

Trier, 5-7 February 2024



EXCELLENCE IN
EUROPEAN LAW⁷

Planned speakers & training managers

Anne Brosnan, Deputy Director (Chief Prosecutor), Legal and Audit Services, Environment Agency, Bristol

Luisa Cortat, Course Director, European Public Law, ERA, Trier

Nina Claudia Miron, DG Environment, European Commission

EUROPOL representative

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

Matthias Keller, Presiding Judge, Administrative Court, Aachen

Klaus Lernhart, Judicial Training Advisor, ERA, Trier; former Presiding Judge, Higher Administrative Court, Mannheim

Key topics

- Wildlife protection, trade and trafficking
- Forest protection and logging
- Environment Crime Directive
- The role of European organisations/networks/associations
- Waste crimes relating to waste management of end-of-life products
- Investigation of, prosecution of and adjudication on wildlife and forest-related crimes
- CJEU case law
- Preliminary reference procedure
- Various case studies

Language
English

Event number
424DV33

Organiser
ERA (Dr Luisa Cortat) on behalf of the European Commission, in partnership with the German Academy of Law



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

Day 1

08:45 Arrival and registration of participants

09:00 **Welcome and introduction**
Luisa Cortat

I. SETTING THE SCENE

Chair: *Luisa Cortat*

09:15 **Introduction to environmental, economic, social and criminal impacts of wildlife trafficking, deforestation and illegal logging**

- TRAFFIC's Reports
- CITES database
- Background to the financial flows associated with wildlife trafficking and illegal logging and trade of timber
- Brief presentation of the European anti-money laundering directive

10:00 Discussion
Michael Faure

10:15 **Main features in the international law framework**

- Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)
- Convention on Biological Diversity
- The EU role on the international scenario

11:00 Discussion
Speaker

11:15 Coffee break

II. EU LEGISLATION, POLICY AND CASE LAW

Chair: *Luisa Cortat*

11:45 **Wildlife protection, trade and trafficking**

- Council Regulation (EC) no 338/97 on the protection of species of wild fauna and flora by regulating trade therein, and its modifications
- Commission Regulation (EC) no 865/2006 concerning the implementation of Council Regulation (EC) no 338/97
- EU Action Plan against wildlife trafficking (2022)
- CJEU case law

12:30 Quiz and Discussion
Nina Claudia Miron

13:00 Lunch break

14:00 **Case study on illegal wildlife trafficking**

- Introduction to the case study
- Working groups
- Plenary discussion of the results

Klaus Lernhart

15:30 Coffee break

16:00 **Forest protection and logging**

- Regulation (EU) No 995/2010 (EUTR) and the changes in the upcoming new regulation
- Forest Law Enforcement Governance and Trade Action Plan (FLEGT)
- CJEU case law

16:45 Discussion
Nina Claudia Miron

17:00 End of the first workshop day

19:00 Joint conference dinner

Objective

The aim of this 2.5-day workshop is to provide participants with a comprehensive overview of the wildlife and forest-related crimes which have raised major concerns in recent years. Emphasis will be given to EU legislation and case law related to wildlife trade and trafficking, deforestation, and the illegal timber trade, the relationship between criminal and administrative law provisions for these crimes, as well as the main challenges for investigation, prosecution and adjudication in this field. This workshop will shed light on the protection of the environment through criminal law with special focus on wildlife and deforestation. By addressing these issues relevant for prosecutors as well as judges, it will facilitate the handling of future national court proceedings in this field.

Who should attend?

Judges and prosecutors from EU Member States interested in environmental law.

Venue

Academy of European Law – ERA
Metzer Allee 4, 54295 Trier

Your contact persons



Dr Luisa Cortat
Course Director
European Public Law
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Day 2

III. PROTECTION OF THE ENVIRONMENT THROUGH CRIMINAL LAW

Chair: *Klaus Lernhart*

- 09:30 **Environmental Crime Directive**
- Main provisions of the Directive
 - State of negotiations and proposed/adopted modifications
- 10:15 Discussion
Michael Faure
- 10:30 **EU actors and instruments for cooperation**
- The role of organisations/networks/associations such as EUROPOL, OLAF, Eurojust, CEPOL, ENPE, and EUFJE
 - Practical examples
- 11:00 Discussion
Anne Brosnan
- 11:15 Coffee break
- 11:45 **Investigation, prosecution and adjudication of wildlife and forest-related crimes and offences**
- Usual *modus operandi*
 - Enforcement, sanctions, and ancillary orders in the prosecution of offences
 - Case law
- 12:30 Quiz and Discussion
Anne Brosnan
- 13:00 Lunch break
- 14:00 **Case study on deforestation and illegal timber trade**
- Introduction to the case study
 - Working groups
 - Plenary discussion for a role-playing exercise
- EUROPOL representative*
- 15:30 Coffee break
- 16:00 **Combatting wildlife and forest-related crimes in practice: the experience of EUROPOL**
- 16:45 Discussion
EUROPOL representative
- 17:00 End of the second workshop day

Day 3

IV. ENFORCEMENT AT NATIONAL LEVEL

Chair: *Luisa Cortat*

- 09:30 **Case study on medicinal products from CITES-listed plants**
- Introduction to the case study
 - Working groups
 - Plenary discussion of the results
- Matthias Keller*
- 11:00 Coffee break
- 11:30 **The role of national judges and prosecutors in enforcing EU legislation on wildlife trafficking, deforestation and illegal logging – focus on preliminary reference and the requirement for access to justice**
- 12:20 Discussion and exchange of experience
Matthias Keller
- 12:40 **Evaluation of the workshop**
Luisa Cortat
- 13:00 End of the workshop

Apply online for

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Trier, 05-07 February 2024 / Event Number: 424DV33



Financed by the "Cooperation with National Judges in the field of Environmental Law"
programme of the European Union

Terms and conditions of participation

Selection

1. Participation is only open to judges and prosecutors from all EU Member States.
2. The number of places available is limited. Participation will be subject to a selection procedure. Selection will be dependent on:
 - i. the relevance of the seminars to the professional life of the applicant;
 - ii. geographical and linguistic balance among the participants will be sought;
 - iii. In case of exceeding applications, only one person per institution may be accepted.
3. Online applications can be made until **05 December 2023**
4. A response will be given to every applicant of this workshop shortly after this deadline. We advise you not to book any travel or hotel before you receive our confirmation.

Registration Fee

5. There is no registration fee.

Travel expenses

6. **The travel expenses will be reimbursed to a maximum of 400 euros** subject to the submission of the originals of travel receipts (like flight ticket, boarding pass, train ticket, taxi costs can only be reimbursed in exceptional cases and has to be justified in written , etc.). Participants are advised of the obligation to use the most cost-efficient mode of transport available.

Accommodation

7. **Maximum 3 hotel nights** will be covered directly by ERA, only for the hotel booked by ERA.

Other services

8. Lunches, beverages consumed during the event and the workshop documents are offered by ERA.

Participation

9. Participation to the whole workshop is required and your presence will be monitored.
10. A list of participants including each participant's address will be made available to all participants unless the ERA receives written objection from the participant no later than one week prior to the beginning of the event.
11. The participant's address and other relevant information will be stored in ERA's database in order to provide information about future ERA events, publications and/or other developments in the participant's area of interest unless the participant indicates that he or she does not wish ERA to do so.
12. A certificate of attendance will be issued at the end of the workshop.

Online application:

www.era.int/?132624&en

Language

English

Contact Person

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