

## PUBLICATION

Report

EU

Global Environment

Ecologic Legal

# European Union Action to Fight Environmental Crime (EFFACE): Conclusions and Recommendations

## ON FIGHTING ENVIRONMENTAL CRIME MORE EFFECTIVELY



Conclusions and  
recommendations

Deliverable No. 7.4



This project has received funding from the European Union Horizon Research Programme for research, technological development and demonstration under grant agreement no. 101019718.



[1]

A new report presents the conclusions and policy recommendations of the EU-funded research project, "European Union Action to Fight Environmental Crime" (EFFACE). The report includes recommendations for action to better combat environmental crime at the EU and Member State level, distinguishing between core and supplementary recommendations. In addition to these recommendations, questions for further research are identified. The report is available for download.

Ecologic Institute contributed, in particular, recommendations on better cooperation between enforcement institutions, enhancing the role of civil society and changing rules on corporate responsibility and liability.

### Core recommendations by EFFACE

Some of the core recommendations are the following:

- Rules on the confiscation and forfeiture of the proceeds of environmental crime should be adopted at the EU level.
- An obligation should be imposed on Member States to provide data on the number of violations, prosecutions and imposed sanctions for violations of national provisions implementing European environmental law, commonly referred to as the environmental acquis.
- Member States should promote effective sanctions, including civil and administrative sanctions (also fines). They should introduce and use complementary sanctions and measures, in addition to the classic criminal sanctions, prison sentences and fine.
- Draft non-binding bottom-up guidelines concerning prosecution and sentencing policy should be developed that can be applied throughout the EU. Ideally, these guidelines should be developed by networks of practitioners from various EU Member States.
- Member States should provide for specialisation of prosecution and adjudication on environmental crime.
- The EU should set minimum criteria for inspections and monitoring.
- The role of Eurojust, the European Public Prosecutor's Office, environmental enforcement networks and Europol should be enhanced and networking at the domestic level should be stimulated.

The conclusions and policy recommendations are the result of almost 40 months of research. The research included [legal analysis](#) [2], [data analysis](#) [3], various [case studies](#), [4] and an [analysis of the strengths, weaknesses, opportunities and threats \(SWOT\)](#) [5] of the current approach of the EU to combating environmental crime.

### **Priority areas**

The EFFACE consortium selected nine areas where policy recommendations seem pertinent and prepared reports on each of them:

- [Data and information management](#) [6]
- [Further harmonisation of substantive environmental criminal law at EU level](#) [7]
- [System of sanctions \(administrative vs. criminal vs. civil proceedings\)](#) [8]
- [Functioning of enforcement institutions and cooperation between them](#) [9]
- Role of environmental crime victims and civil society
- [External dimension of environmental crime - what can EU do](#) [10]
- [Use of environmental liability](#) [11]
- [Organised environmental crime](#) [12]
- Corporate responsibility and liability in relation to

environmental crime

These reports constitute the basis for the overall conclusions and recommendations. Draft conclusions and recommendations were discussed with stakeholders at a [workshop](#) [13] in October 2015 and the EFFACE [final conferenc](#) [14]e in February 2016 in Brussels.

### **Main Link**

Download: Conclusions and Recommendations [pdf, 0.4 MB, English]

### **Ecologic Related Websites**

- EFFACE project website

### **Ecologic Related Articles**

- European Union Action to Fight Environmental Crime (EFFACE)
- Research on Actors, Institutions and Instruments Relevant for Fighting Environmental Crime
- Understanding the Damages of Environmental Crime
- European Union Action to Fight Environmental Crime (EFFACE): Case Studies on Environmental Crime
- Evaluation of the Strengths, Weaknesses, Threats and Opportunities Associated with EU Efforts to Combat Environmental Crime
- Environmental Crime and the EU: Synthesis
- EFFACE Workshops on Environmental Crime
- EFFACE Policy Briefs on Environmental Crime

---

### **Citation**

Faure, Michael; Niels Philipson; Teresa Fajardo del Castillo et. al. (2016): Conclusions and Recommendations. Study in the framework of the EFFACE research project.

### **Language**

English

### **Author(s)**

Dr. Christiane Gerstetter  
Dr. Stephan Sina  
Assoc. Prof. Christoph H. Stefes, PhD

### **Author(s)**

Michael Faure (METRO, Maastricht University)  
Niels Philipson (METRO, Maastricht University)  
Teresa Fajardo del Castillo (University of Granada)  
Andrew Farmer (IEEP)  
Anna Rita Germani (University of Rome "La Sapienza")  
Alison Hoare (Chatham House)  
Valsamis Mitsilegas (Queen Mary School of Law)  
Ragnhild Sollund (University of Oslo)  
Grazia Maria Vagliasindi (University of Catania)  
Wouter Veening (Institute for Environmental Security)

## Credits

**With contributions by:** Nicolas Blanc (formerly Ecologic Institute) and Katharina Klaas (Ecologic Institute)

## Funding

- European Commission, Directorate-General Research & Innovation (DG Research & Innovation)

## Year

2016

## Dimension

35 pp.

## Project

European Union Action to Fight Environmental Crime (EFFACE)

## Project ID

2720

## Keywords

environmental crime, EU, corporate liability, environmental law, enforcement, NGOs, civil society, environmental crime directive, organised crime, environmental liability, Europe

---

**Source URL (modified on 08/23/2018 - 15:00):** <https://www.ecologic.eu/13605>

## Links

[1] [https://www.ecologic.eu/sites/files/presentation/2016/cover-efface-conclusions-and-recommendations\\_0.png](https://www.ecologic.eu/sites/files/presentation/2016/cover-efface-conclusions-and-recommendations_0.png)

[2] <https://ecologic.eu/11925>

[3] <https://ecologic.eu/12140>

[4] <https://ecologic.eu/11764>

[5] <https://ecologic.eu/12986>

[6] [https://ecologic.eu/sites/files/publication/2016/efface\\_conclusions\\_recommendations\\_data\\_management\\_0.pdf](https://ecologic.eu/sites/files/publication/2016/efface_conclusions_recommendations_data_management_0.pdf)

[7] [https://ecologic.eu/sites/files/publication/2016/efface\\_conclusions\\_recommendations\\_harmonisation.pdf](https://ecologic.eu/sites/files/publication/2016/efface_conclusions_recommendations_harmonisation.pdf)

[8] [https://ecologic.eu/sites/files/publication/2016/efface\\_conclusions\\_recommendations\\_system\\_of\\_sanctions.pdf](https://ecologic.eu/sites/files/publication/2016/efface_conclusions_recommendations_system_of_sanctions.pdf)

[9]

[https://ecologic.eu/sites/files/publication/2016/efface\\_conclusions\\_recommendations\\_enforcement\\_institutions.pdf](https://ecologic.eu/sites/files/publication/2016/efface_conclusions_recommendations_enforcement_institutions.pdf)

[10] [https://ecologic.eu/sites/files/publication/2016/efface\\_conclusions\\_recommendations\\_external\\_dimension.pdf](https://ecologic.eu/sites/files/publication/2016/efface_conclusions_recommendations_external_dimension.pdf)

[11]

[https://ecologic.eu/sites/files/publication/2016/efface\\_conclusions\\_recommendations\\_environmental\\_liability.pdf](https://ecologic.eu/sites/files/publication/2016/efface_conclusions_recommendations_environmental_liability.pdf)

[12] [https://ecologic.eu/sites/files/publication/2016/efface\\_conclusions\\_recommendations\\_organised\\_crime.pdf](https://ecologic.eu/sites/files/publication/2016/efface_conclusions_recommendations_organised_crime.pdf)

[13] <https://ecologic.eu/12141>

[14] <https://ecologic.eu/13101>