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European Union Network for the  
Implementation and Enforcement  
of Environmental Law

# SPIDER WEB

Strategic Project to Increase the Detection and Disruption  
of Environmental Crime in the Western Balkans

## Project Report

December 2019

# **Countering Serious Crime in the Western Balkans: Project report of waste and nature crime in Albania, Bosnia and Herzegovina, Kosovo<sup>1\*</sup>, The Republic of North Macedonia, Montenegro and Serbia**

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<sup>1</sup> \* *This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence*

## Table of Content

- Executive summary ..... 4
- Acknowledgments ..... 6
- 1. Introduction ..... 7
- 2. Scope and focus ..... 7
- 3. Methodology ..... 8
- 4. Content trainings ..... 9
- 5. Trainings and participation ..... 9
- 6. Evaluation ..... 10
- 7. Online training toolkit ..... 11
- 8. Final conference SPIDER WEB project ..... 11
- 9. Conclusions and recommendations ..... 11
  - 9.1. Conclusions ..... 11
  - 9.2. Recommendations ..... 12
    - 9.2.1. *General* ..... 12
    - 9.2.2. *National level* ..... 13
    - 9.2.3. *Cross-border cooperation* ..... 14

## Executive summary

In 2018 and 2019 a project, funded by the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), was carried out by the European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL), aiming at increasing the awareness on the importance of tackling environmental crimes and the skillset of all actors in the compliance and enforcement chain in six Western Balkan economies, to successfully disrupt and prosecute environmental crimes.

### Baseline study

As a start of the project a baseline study was carried out to understand the state of play and possible gaps in practical implementation and enforcement of Nature Protection and Waste legislation. The results of the study provided a comprehensive overview of the level of relevant environmental legislation. As a result, deficiencies in the implementation and enforcement of the existing legislation on waste and nature crime seem to be a major challenge in the Western Balkan region. Lack of awareness surrounding environmental crime in general, and waste and wildlife related crimes specifically, and low priority granted to these crimes by government institutions, law enforcement agencies and prosecution and judiciary have been highlighted.

### Training needs assessment

As a next step a training needs assessment was carried out. The study revealed that, although in all beneficiaries, initiatives on environmental crime issues have taken place, further training is needed, to be provided to all actors in the compliance and enforcement chain. Besides training on creating awareness at all stakeholders, the trainings should be practical, focused and tailored to the needs of the target groups.

### National training events

In the period of May – November 2019, six national trainings were implemented, in which environmental inspectors, police officers, customs officers, public prosecutors, judges, policy developers, permittees, ombudsmen and NGO's participated. In total 162 officials were trained with a fair balance between the key stakeholders of the Compliance and Enforcement chain.

While the general focus of the project was on environmental issues, priority was given to understanding the root causes and modus operandi of environmental crime and how to successfully disrupt and prosecute environmental crimes in the areas of Nature Protection and Waste Management. Where relevant, other relevant legislation like the Liability Directive and the Environmental Crime Directive were part of the project. During the training special attention was given to the importance of coordination, cooperation and partnership between all involved stakeholders in the compliance and enforcement chain. Besides providing and discussing theory, also approaches of evidence gathering, information sharing and analysis, cross border cooperation and the involvement of specific expertise were discussed.

The trainings were very well received by the participants and highly valued. It was affirmed that the trainings contributed to an improved understanding of the importance of tackling environmental crimes and the (negative) impact these types of crime have on the human health, environment and the economy. Furthermore, the need for a multidisciplinary cooperation and partnership between the key players of the compliance and enforcement chain, was fully recognised. To enhance and formalise cooperation at the national level was mentioned as essential for being more effective in combating environmental crime.

Also, cooperation with specialised organisations and/or the development of specialisation within authorities were mentioned as a priority. In addition, the Western Balkan economies recommended to establish a regional network of authorities involved in tackling environmental crime, on sharing experiences and good practices, and on coordinating joint activities through regular meetings

### Online training tool

The materials used during the training, including slides, case studies and references to legislation and tools, were collected and made available via an online platform: Portal for Environmental Enforcers<sup>2</sup> (PREVENT). Two toolkits were developed. One on Wildlife Crime and one on Waste Crime. The aims of these Toolkits are to provide the law enforcement agencies, customs and port authorities, environmental inspectors, prosecutors and judges with essential information about wildlife and waste crime, international waste and wildlife protection treaties and regulation. The Toolkits are a compilation of information and good practices from relevant manuals and reports, legislation, cases studies and tools gathered and designed to support the entire enforcement chain fighting cross-border wildlife crime most cost-effectively.

### Final conference

A final SPIDER WEB Conference was held on 13 November 2019. The conference concluded in summary with the following recommendations:

- Organisations that promote strengthening combating environmental crimes in the Western Balkan economies, should continue to support the region through organising and funding practical activities, such as capacity building and joint projects. As a quid pro quo, the organisations of the Western Balkan economies should provide the time resource of expertise to manage and run such activities.
- Building on the experiences of the SPIDER WEB project, a continuation with focus on practical and specialised training with a view on improving the detection of environmental crime cases, should be considered and encouraged. This could be horizontally (involving all actors in the compliance and enforcement chain) and/or vertically (focusing on a specific authority, e.g. customs, judiciary or environmental inspectorate).
- To establish partnerships with the private sector, as well as regular collaboration and exchange of information with national NGOs that operate in the field of the environment and to discuss appropriate measures to enhance the latter's role in criminal proceedings.
- To develop prevention programmes and awareness campaigns against environmental crimes, targeted at the public sector and/or specific risk groups, risk behaviours, as well as identified new high-risk environmental subjects.

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<sup>2</sup> PREVENT is available via: [www.impel-prevent.eu](http://www.impel-prevent.eu)

## Acknowledgments

This report, commissioned by IMPEL, was prepared by members of the SPIDER WEB team that includes experts from The Netherlands, Scotland, Portugal, Turkey and Switzerland.

The SPIDER WEB team would like to express its appreciation to all experts, judges, prosecutors, environmental inspectors, police officers, customs officers and institutions from the Western Balkan economies, including Albania, Bosnia and Herzegovina, Republic of North Macedonia, Kosovo\*, Montenegro and Serbia, who participated in the trainings and shared their knowledge and experience. Furthermore, the Consultation Group, including representatives of the six Western Balkan Economies, OSCE presence in Albania, Penal Court Segovia and the Regional Cooperation Council Secretariat (RCC), are thanked for their guidance to the project.

In particular, the IMPEL National Coordinators are thanked for their great commitment to organising and making the training possible in their economies. Their contribution to the SPIDER WEB project was invaluable. As well as the national experts from the Netherlands, Finland, Germany, Croatia and Serbia for their technical support during the training events.

The SPIDER WEB team wishes to gratefully acknowledge the financial support from and cooperation with the German Cooperation – Deutsche Zusammenarbeit, implemented by the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ).

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## 1. Introduction

Environmental crime is a serious national and international problem with a significant negative impact on human health, eco systems, environment and the economy. Furthermore, environmental crimes undermine government policies to sustainably manage and protect the environment and undermine the rule of law.

Fighting serious and organised crime, including fighting environmental offences regulated in EU and international legislation and agreements like the killing, destruction, possession or trade of specimens of protected wild fauna (particularly birds) or flora species, illegal logging / timber regulation or the improper collection, transport, recovery or disposal of (hazardous) waste, are key challenges in Europe. Weak environmental awareness, poor information gathering and exchange, scarce financial and human resources and poor cooperation between key stakeholders hinder adequate and efficient approaches in combating environmental crime. Today, offences of environmental legislation are still not considered a high enough priority, whilst their negative impact is significant.

In 2018 and 2019 a project, funded by the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), was carried out by the European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL), aiming at increasing the awareness on the importance of tackling environmental crimes and the skillset of all actors in the compliance and enforcement chain in six Western Balkan economies, to successfully disrupt and prosecute environmental crimes.

## 2. Scope and focus

The geographical scope of the project included the following six Western Balkan economies:

- Albania
- Bosnia and Herzegovina
- Republic of North Macedonia
- Kosovo\*
- Montenegro
- Serbia



While the general focus of the project was on environmental issues, priority was given to understanding the causes of environmental crime and how to successfully disrupt and prosecute environmental crimes in the areas of:

1. Nature Protection; including EU Wildlife Trade Regulation, Habitats and Birds Directive and other regulations regarding to Nature Protections, such as EU Timber Regulation (EU TR), Invasive Alien Species Regulation (IAS).

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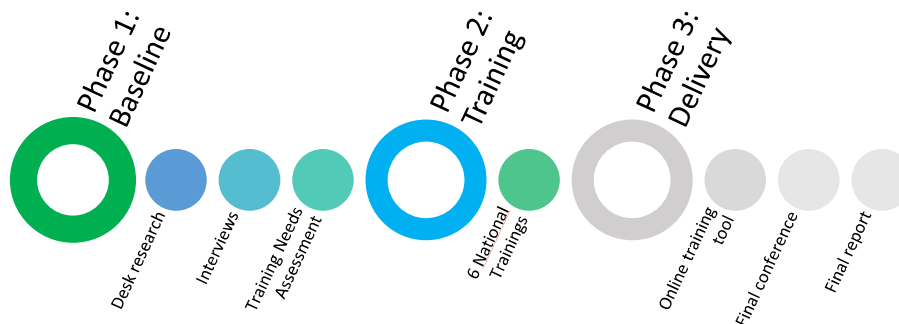
\* This designation is without prejudice to positions on status and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

2. Waste Management; covering all aspect in the chain, from point of generation to transport and treatment covered by EU Waste Directives and Regulations (including Waste Framework Directive, European List of Waste, Waste Shipment Regulation and specific waste stream laws).

Where relevant, other legislation like the Liability Directive and the Environmental Crime Directive were part of the project. Special attention was given as well to the importance of coordination, cooperation and partnership between all involved stakeholders in the compliance and enforcement chain, which is conditionally for being efficient and effective in tackling a broad variety of environmental crimes.

### 3. Methodology

The methodology of the project as was carried out consisted of 3 phases: Baseline Study, Training and Delivery. Within each phase the following activities were carried out:



The **first phase (Baseline)** involved the implementation of a baseline study in the six Western Balkan economies on the state of play and possible gaps in practical implementation and enforcement of environmental legislation and in particular on Nature Protection and Waste Management. A desk research was carried out by a detailed analysis of the legal framework of the Western Balkan Economies, and reports covering the level of implementation. Main sources for this exercise were the EU progress reports, UNECE documents, UNEP and other official documents. In addition, 49 interviews of representatives of authorities were held. The results of the baseline study provided a comprehensive and detailed picture of the level of implementation of relevant environmental legislation, the challenges that are known for the future, as well as a first view on the need for training in the area of tackling environmental crime. Deficiencies in the implementation and enforcement of the existing legislation on waste and nature crime seem to be a major challenge in the region. Also lack of awareness surrounding environmental crime in general, and waste and wildlife related crimes specifically, as well as low priority granted to these crimes by government institutions, law enforcement agencies and prosecution and judiciary have been highlighted.

As a next step, a 'training needs assessment' among all involved authorities was performed which focused on the current knowledge and training needs capacities of stakeholders across the compliance and enforcement chain. Among others, an online questionnaire was submitted to identified stakeholders. Based on the outcome of the assessment, tailored training curricula were developed. The study revealed that further training is needed, to be focused on creating awareness at all stakeholders. The trainings should be practical, focused and tailored to the needs of the target groups.



In the **second phase** (Training) of the project, training materials were developed, as well as trainings to the involved Western Balkan economies were delivered. The trainings involved presentations, the use of tools, exercises, break-out sessions, case studies and guidance for use by the different participant groups (permitters, inspectors, police, prosecutors and judges) in the training workshops. A section of the training was dedicated to creating general awareness on the importance of tackling environmental crime, and to aspects as coordination, cooperation and partnership between all stakeholders of the compliance and enforcement chain. Training activities contributed also to disseminating existing and new tools developed by IMPEL (such as the 'Guidance on Effective Waste Shipment Inspection Planning' and the Guidance on Nature protection in permitting and inspection of industrial installations) and expanding synergies and collaboration.

The **third phase** of the project (Delivery) was focused on designing and developing the online training tool and manual, the organisation of the final SPIDER WEB conference and on drafting the report of the project.

The training tool pulls together the key areas of learning from the training courses, and has sections for police, prosecutors, judges, and civil society organisations. The tool will be interactive and is available online for all stakeholders through a password protected website.

## 4. Content trainings

Each training started with a plenary session to introduce the SPIDER WEB project and the programme of the training. After that a 'tour the table' was made to understand from the participants what their expectations were from the training. This was followed by a presentation about cooperation and partnership, aiming at highlighting the importance of a close cooperation between the key stakeholders in successfully tackling environmental crime.

The trainings continued with parallel sessions on Waste Crime and Nature Protection related topics. Case studies were discussed, and tools were presented that support the authorities in executing their activities. The parallel sessions were very interactive, and the participants were challenged to contribute to discussions with their views and experiences. This format showed to be very effective and led to mutual learning and understanding.

Each training ended with an evaluation session and a thorough discussion on future needs and on the implementation of the 'take aways' from the training. Each participant received a certificate as a proof of attendance and participation.

## 5. Trainings and participation

The trainings were carried out in the time period from May till November 2019. In total 162 participants were trained (see table), with a balanced distribution of key stakeholders of the compliance and enforcement chain involved in tackling environmental crime. The category 'other' consisted amongst others of NGOs, policy makers, management and ombudsmen.

Table 1.

	North Macedonia	Albania	Kosovo*	Serbia	Bosnia & Herzegovina	Montenegro	
<b>Date of training</b>	7 – 9 May	14 – 16 May	5 – 7 June	10 – 12 September	24 – 26 September	5 – 7 November	<b>Total:</b>
<b>Inspector</b>	12	9	11	12	7	3	<b>54</b>
<b>Permit writer</b>	0	0	0	1	0	3	<b>4</b>
<b>Police officer</b>	4	2	1	2	18	2	<b>29</b>
<b>Customs officer</b>	2	0	0	2	6	0	<b>10</b>
<b>Prosecutor</b>	1	2	2	8	1	3	<b>17</b>
<b>Judge</b>	3	0	2	0	1	5	<b>11</b>
<b>NGO's etc.</b>	8	9	8	5	3	4	<b>37</b>
<b>Total</b>	<b>30</b>	<b>22</b>	<b>24</b>	<b>30</b>	<b>36</b>	<b>20</b>	<b>162</b>

## 6. Evaluation

Each training session was evaluated by filling out evaluation forms. The form was designed in a way that, based on 16 questions regarding the quality of the content of the training, the trainers, the applicability of the offered knowledge, relevance of the training to the work, accommodation etc., a score could be provided on a scale of 1 – 10. The average scores per Western Balkan economy are presented in table 2. and vary between 8,69 and 9,56. The total average score is 9,10, which demonstrates that the trainings were very well received and appreciated. Besides the scoring of the trainings, the participants had the opportunity to provide a general impression of the training, remarks, suggestions and advices, as well as to express if follow-up activities are needed. Through an open discussion at the end of each training, the participants provided valuable comments which were very helpful for detailing future work. Many of the evaluation results are reflected in the conclusions and recommendations of the project (see chapter 9).

Table 2.

	North Macedonia	Albania	Kosovo*	Serbia	Bosnia & Herzegovina	Montenegro	<b>Total average score</b>
<b>Average score per training</b>	9,16	9,56	8,69	8,80	8,88	9,31	<b>9,10</b>

## 7. Online training toolkit

The materials used during the training, including slides, case studies and references to legislation and tools, were collected and made available via an online platform: Portal for Environmental Enforcers<sup>3</sup> (PREVENT). Two toolkits were developed. One on Wildlife Crime and one on Waste Crime. The aims of these Toolkits are to provide the law enforcement agencies, customs and port authorities, environmental inspectors, prosecutors and judges with essential information about wildlife and waste crime, international waste and wildlife protection treaties and regulation. The Toolkits are a compilation of information and good practices from relevant manuals and reports, legislation, cases studies and tools gathered and designed to support the entire enforcement chain fighting cross-border wildlife crime most cost-effectively.

The Portal is available for regulators, practitioners and officers responsible for the implementation and enforcement of environmental legislation only. Access can be requested via the website: [www.impel-prevent.eu](http://www.impel-prevent.eu)

## 8. Final conference SPIDER WEB project

The final conference of the SPIDER WEB project was held on 12 and 13 November 2019 in Zagreb. The conference offered 45 participants the opportunity to come together to discuss the compliance chain as a whole. Breakout and mini workshop sessions on key themes were convened, as well as a plenary panel discussion took place where representatives of the Western Balkan economies delivered statements and contributed to a discussion around themes and experienced value of the project, their views on how the outcome will be implemented and a forward look on activities and needs for future support. Also, a plenary discussion took place on the practical implementation of the outcome of the SPIDER WEB project and the support that may be needed or expected from supporting organisations like IMPEL. The conference closed by presenting the final conclusions and recommendations of the project.

## 9. Conclusions and recommendations

### 9.1. Conclusions

The outcomes of the project affirmed that:

- They welcome the opportunity of participating in the trainings, which give practical help and solutions to all involved and help as well the less experienced to learn from the more experienced practitioners.
- The trainings and conference reflect their need for increasing awareness and skillset of all actors of the compliance and enforcement chain for being able to effectively tackle environmental crimes; in particular waste and nature protection crimes.

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<sup>3</sup> PREVENT is available via: [www.impel-prevent.eu](http://www.impel-prevent.eu)

- The trainings were very well received by the participants. There was a strong recognition amongst the participants that cooperation between the actors within a country and also cross-border is crucial for being successful in fighting these types of crime. The trainings facilitated authorities to meet each other.
- Combating environmental crime in an effective manner requires a comprehensive and multidisciplinary approach at all levels and the involvement of all relevant policies, instruments and authorities.
- For tackling environmental crimes, involvement of specialists is needed through a multi-disciplinary approach, such as environmental, financial, forensic and cybercrime expertise.
- They understand that all links of the compliance and enforcement chain are dependent on the quality and expertise of the other links. Therefore, compliance checking and prosecution of environmental crime is only as strong as the weakest link of the chain.
- Cooperation with neighbouring countries and supporting international organisations needs to be developed further and that implementing joint activities is a promising and fruitful path to achieve this.
- An active attitude is needed to the gathering and sharing information by and between key partners. Intelligence must be collected efficiently and effectively, analyse it and use it in law enforcement and criminal enforcement in a careful and consistent way.
- Tools<sup>4</sup> developed by IMPEL are useful sources of information for the project beneficiaries. Examples of tools include guidance on landfill inspections, waste sites manual and step-by-step guidance book for waste shipment inspections. Also IMPEL-ESIX<sup>5</sup> was recognised as a useful real-time communication tool for information exchange and cooperation in the area of nature conservations issues between enforcement officials, national authorities and (inter)national and regional organisations of stakeholders.

## 9.2. Recommendations

The project recommends that:

### 9.2.1. General

- Organisations that promote strengthening combating environmental crimes in the Western Balkan economies, are encouraged to continue to support the region through organising and funding practical activities, such as capacity building and joint projects. No other EU or regional programme fills the current gap. As a quid pro quo, the organisations of the Western Balkan economies will provide the time resource of expertise to manage and run such activities.
- Building on the experiences of the SPIDER WEB project, a continuation or a new project with focus on practical and specialised training, including targeting specific categories of specialists, with a view on improving the detection of environmental crime cases and an active exchange of good practices, both at regional and national level, should be considered. This could be horizontally (involving all actors in the compliance and enforcement chain) and/or vertically (focusing on a specific authority, e.g. customs, judiciary or environmental inspectorate).
- To establish partnerships with the civil society as well as regular collaboration and exchange of information with national NGOs that operate in the field of the environment and to discuss appropriate measures to enhance the latter's role in criminal proceedings.

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<sup>4</sup> Access to IMPEL tools via: <https://www.impel.eu/tools/>

<sup>5</sup> Access to IMPEL ESIX via: <https://www.impel-esix.eu/>

- To develop prevention programmes and awareness campaigns against environmental crimes, targeted at the public sector and/or specific risk groups, risk behaviours, as well as identified new high-risk environmental subjects.
- To develop advanced training curricula for different target groups to be included in training programmes and conducted by certified training academies.
- To review and update existing 'Standing Operation Procedures' and include these in the online tool.
- To actively sharing the contact information of all participants to the project.

### 9.2.2. National level

The participating beneficiaries and their respective involved authorities in the project are invited to consider the following suggestions and recommendations:

- Setting-up a structured national interagency platform or network for inter-institutional coordination and cooperation in compliance and enforcement of environmental legislation, in which representatives of all law-enforcement services and authorities, judiciary (prosecutors and courts) included, participate. This structure should be formalised through protocols or Memoranda of Understanding.
- Develop a platform at national level with involvement of all key stakeholders and develop and adopt a vision, strategy and policy on environmental compliance and enforcement, to be included in a (country specific) National Plan with workplans of individual authorities.
- Include in the National Plan the priorities, approaches and a clear description of the roles and responsibilities of all authorities involved.
- Re-assess at the national level the balance between the administrative approach and the criminal approach to environmental crime, as to enable criminal law to fully play its repressive and deterrent function.
- Review National legislation in light of differentiating minor and major crimes and administrative infringements of environmental legislation, aiming at developing a policy on the most effective use of sanctions in cases of violations of environmental legislation.
- Given the nature and scale of the National Plan on compliance and enforcement of environmental legislation, appropriate monitoring, evaluation and reporting on the effectiveness should be carried out.
- Appoint a focal point to coordinate the cooperation on compliance and enforcement activities with other authorities. This focal point should be integrated into a national and regional (Western Balkan) network of focal points.
- To promote establishing an active information exchange between the competent environmental authorities (environmental inspectors), police services, custom services, as well as the prosecutors and judges. The focal points of the authorities should play a key role in managing the information.
- To support the work of the platform and the respective authorities, it should be considered to develop an integrated information system, containing relevant data as collected by all authorities involved. Analysis of these collected data and statistics will lead to insights in (criminal) phenomena, that will facilitate tackling environmental crime in a comprehensive, systematic, reliable and effective way.
- To develop specialisation in environmental crime at Police and judiciary, such as specialised prosecutors in charge of environmental matters and a national network of expertise for environmental magistrates.

- To establish a central environmental unit at the police and/or Environmental Inspectorate at the national level. It then could act both as a platform to support and promote a multidisciplinary approach to environmental crime and as an active partner at international level (Interpol, Europol and EU).

### 9.2.3. Cross-border cooperation

As environmental crime is not limited to borders, the following recommendations cover cross-border work:

- To establish a Western Balkan regional network of authorities involved in tackling environmental crime, on sharing experiences and good practices, and on coordinating joint activities through regular meetings.
- The Western Balkan economies should strive to harmonisation in sanctioning violations of environmental legislation to overcome the current situation of disbalance. Harmonisation will contribute to a level playing field.
- Taking into account the scarce capacity of specific expertise and experts, to establish a group of international experts who could work in the Western Balkan economies on request and on specific cases where their expertise is needed.
- Cooperation and synergy between laboratories and scientific institutes within and between the Western Balkan economies should be encouraged and explored. A network of contacts should be established, and the cooperation could be formalised through Memoranda of Understanding.
- The Western Balkan economies should establish cross-border cooperation between responsible authorities to actively exchange information to effectively tackling (international) environmental crimes.
- Cross-border cooperation should be promoted and encouraged by carrying out joint activities. An exchange programme for officers of different authorities could facilitate this.
- To promote cooperation in the rescue of seized live plants and animals. The establishment of a regional rescue station and/or a coordination point for the rescue of these live flora and fauna in zoos or institutions that are specialised in these species, could be considered.

*The SPIDERWEB project touched upon the many challenges the Western Balkan faces when it comes to disrupting wildlife and waste crime. Key is to continue to build awareness and capacity and to connect organisations who play a role in preventing, detecting and prosecuting environmental crimes. IMPEL can play a facilitating role in future steps.*