

Protecting biodiversity

Research in the framework of the Environmental Law Enforcement Strategy (ELES) of Wallonia



*On the initiative of the Minister for the Environment
(Walloon Government)*

Design of the research project

Funding: Walloon Government.

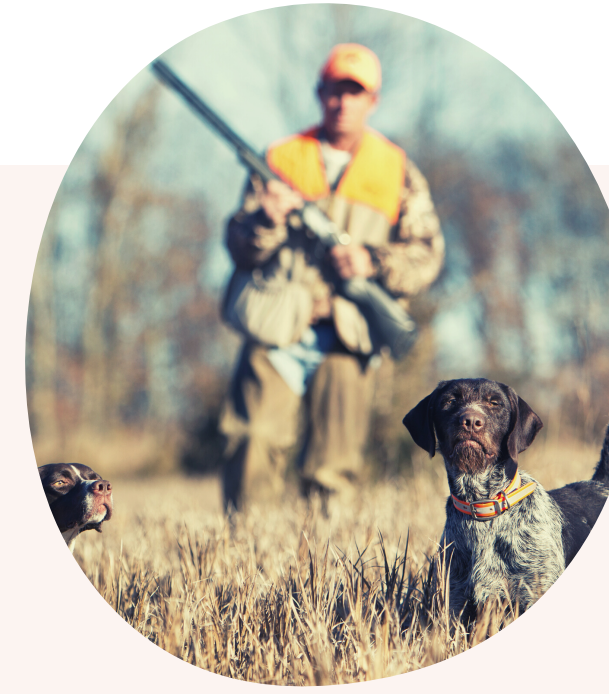
Project conducted by the department of Criminology of the National Institute of Criminalistics and Criminology (NICC), scientific research institute of the administration of justice.

Researchers in social science (criminology) with a sociological approach.

Project duration: 5 years (2022-2026).

Purpose of the project:

- Scientific support for the evaluation of the ELES of Wallonia;
- Scientific research on the implementation of administrative sanctions on violations of Environmental Law and animal welfare;
- Scientific research on environmental permit control.



Implementation steps of the research

Step 1 (2022):

- Identify the actors and the tools they use for recording the files;
- Analyze the handling of environmental offences by the administrative enforcement officer's department;
- Identify available and missing data to support the monitoring of the application of the law

Step 2 (2023):

- Identify and construct indicators of environment law enforcement;
- Analyze environmental permit controls;
- Questioning the decriminalization of certain environmental offences.

Future steps: under construction.

Progressive construction of the consortium (NICC-Government-Administration).

Research methods: interviews, observations in offices and during meetings, study of files, statistical analysis.

The 1st Environmental Law Enforcement Strategy of Wallonia (ELES)



In accordance with the recommendations of the Council of the European Union, following the 8th round of mutual evaluations on the European policies on preventing and combating Environmental Crime.

Objectives: to improve the organization, coordination and efficiency of environmental enforcement in Wallonia and combat the sense of impunity in this regard.

What is covered by the Strategy?

- priorities for action, taking into account the identified objectives;
- coordination of the various actors involved;
- actions designed to remedy offences in an effective and visible way;
- organization of the services so that they can carry out their tasks of monitoring, investigating and recording offences;
- organization of training



Which environment is protected? The spaces, landscapes, resources and natural environments, air, soil, water, biological diversity and biological balance. The fight against animal abuse is also included.

- Illicit trafficking of waste, pollution of rivers, animal abuse, illegal destruction of hedges, poaching, environmental incivilities of everyday life (throwing away cigarette butts, leaving the car engine running when it is stopped, etc.), development of activities in disregard of existing environmental legislation such as the absence of environmental permits and so on.



Preliminary results

An evolving administration:

- Important legal and organizational changes;
- Lack of data to monitor the ELES;
- Lack of visibility of administrative action;
- Weak internal tradition of evaluating practices and policies;
- Tension between preventive and repressive activities.



(Conflicting?) cohabitation of administrative and criminal sanctions:

- A limited number of decriminalized offences;
- Sometimes ambiguous position of the prosecutor's office, which does not want to prosecute or cannot prosecute, everything but wants to keep control;
- Weaknesses of a concerted and structured crime policy at the national level, in collaboration with local and decentralized authorities;
- Need for a rapid response to environmental damage;
- Whatever repressive way is chosen (administrative or penal way), forensic expertise is needed.

General population issues:

- Environmental legislation: complex, still unknown and locally (too?) diverse;
- Environmental impunity: need to objectify and monitor this feeling;
- Need for training / education / prevention beside or through repression ?

