

## IDENTIFICATION AND CRACKDOWN ON ENVIRONMENTAL INFRINGEMENTS BY THE REGIONAL AUTHORITY

### CONTROL 2

In addition to prevention actions, the Public Service of Wallonia (SPW - DG03) also has the task of recording and punishing any act that tends to degrade the quality of the environment in Wallonia, on the basis of the "environmental infringements" decree of 05/06/2008.

#### The means of action of the Police and Inspections Department (DPC)

The DPC looks for, investigates, and punishes acts likely to harm the environment through three specialised services: (i) the external directorates of the DPC<sup>1</sup>, which exercise routine inspections on activities generating environmental nuisances, (ii) the Anti-pollution Enforcement Unit (*Unité de répression des pollutions - URP*), which is a veritable environmental police service and (iii) the Anti-poaching Unit (*Unité anti-braconnage - UAB*<sup>2</sup>), which investigates infringements related to the natural patrimony.

#### Follow-up of infringements detected during inspections

In 2015, 1,561 coercive measures were taken during inspections by the external directorates of the DPC. These measures follow a gradual suppression rationale, depending on the eco-diagnosis<sup>3</sup> made. Activity sectors are informed of their legal obligations by means of an injunction (31%). If the infringement detected is minor (administrative infringement, first detected infringement, repairable infringement or zero or benign eco-diagnosis), a warning (50%) is issued. If the infringement detected is major (an alarming or serious eco-diagnosis, a case of *flagrante delicto*, repeat infringements or impossibility to settle the infringement administratively), an official report (PV) (19%) is drawn up. Of the 295 PVs drawn up in 2015, 43% concerned classified facilities (establishments subject to obtaining an environmental permit<sup>4</sup>), 28% concerned waste infringements and 19% concerned water

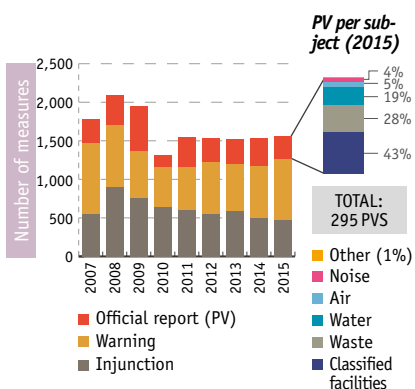
infringements. For the past five years, the number of coercive measures has been relatively stable, although injunctions tend to decrease in favour of warnings that produce better effects.

#### Crackdown on infringements by specialised police units

In 2016, the URP issued 548 PVs, split primarily between the waste sector (57%) and environmental permit sector (30%). This unit is less active compared to the last four years (about 800 PV/year), due to a loss of staff (-14%) and the size of certain cases. In 2015, in the area of natural patrimony, the UAB issued 375 PV. Hunting (poaching and hunting without a permit) and nature conservation remained the elements for which most PVs were issued, with 48% and 37% of the PVs respectively. Its activity has been stable for 4 years. Since 2010, a reduction in hunting-related infringements (-62%) has been observed, offset by an increase in nature conservation infringements (+64%). In 2016, also in the sphere of natural patrimony, the DNF issued 1,939 PVs. The areas in which most PVs were issued were the "other" category (water, etc.) (29%), fishing (26%), the Forestry Code<sup>5</sup> (21%) and hunting (15%). The activities of the DNF to crackdown on infringements is constantly on the rise.

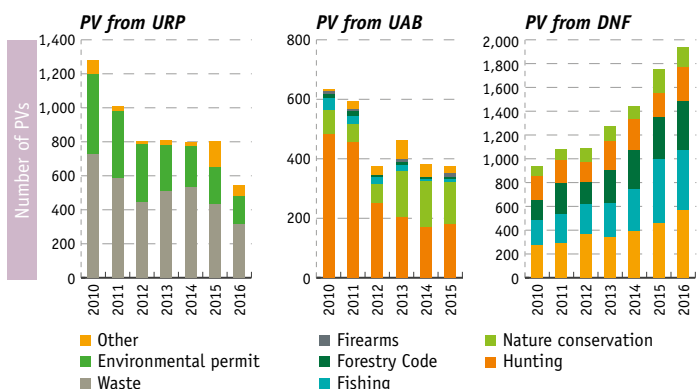
[1] → CONTROL 1 | [2] The UAB also provides support to officers of the Nature and Forests Department (DNF) in more complex investigations. | [3] The eco-diagnosis assesses, according to a standardised protocol, the environmental impact of any activity or situation, regardless of any infringement. | [4] → TRANSV 2 | [5] Decree of 15/07/2008

Fig. CONTROL 2-1 Coercive measures taken by the external directorates of the Police and Inspections Department



SOERW 2017 – Source: SPW - DG03 - DPC (Gesdos database)

Fig. CONTROL 2-2 Official reports (PV) drawn up by the Anti-pollution Enforcement Unit (URP), the Anti-poaching Unit (UAB) and the Nature and Forests Department (DNF) in Wallonia



SOERW 2017 – Source: SPW - DG03 - DPC & DNF