

COOPERATION WITH NATIONAL JUDGES AND PROSECUTORS IN THE FIELD OF EU ENVIRONMENTAL LAW



*In cooperation with the
Instituut voor Gerechtelijke Opleiding/Institut de
Formation Judiciaire*

WORKSHOP ON PROTECTION OF ENVIRONMENT THROUGH CRIMINAL LAW



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PROGRAMME

Brussels, 22-24 October 2012

Workshop venue:

Louizalaan - Avenue Louise 54
1050 Brussels – Bruxelles

Monday 22 October 2012

- 9.00 – 9.45** **Welcome and Introductory session**
Welcome and introduction of participants and facilitators, overview of the objectives and programme of the workshop
Igor Dizdarevic (Lecturer, project leader, EIPA), Ralf Jülich (legal expert, activity leader, EIPA)
- 9.45 – 10.45** **Role of the national judge in the implementation of EU law: The preliminary reference tool**
Introductory overview of the relevance of EU environmental law for national decisions, and the importance of the role of the national judge in implementing EU law
Igor Dizdarevic
- Coffee Break (10.45 – 11.00)*
- 11.00 – 11.45** **Introduction to the Environmental Offences Directive 2008/99/EC**
Presentation of the history, objective and key elements of the Directive 2008/99/EC:
Miroslav Angelov (Directorate-General for the Environment)
- 11.45 – 12.30** **Exchange Session on environmental crimes legislation in EU Member States**
Discussion of the legal situation as regards environmental crimes prosecution and sanctioning in European Member States, the transposition of the Directive 2008/99/EC and its effects on national legislation
Moderation: Ralf Jülich (EIPA)
- Lunch Break (12.30 – 13.30)*
- 13.45 – 14.45** **Introduction to European and International Nature Protection Legislation**
Presentation of the objectives, key elements and ECJ judgements related to the Habitats and Birds Directives as well as the CITES regime and Bern Convention and main threats and legal action from the EU Commission's point of view
Ralf Jülich, Joseph van der Stegen (Directorate-General for the Environment)
- Coffee Break (14.45 – 15.00)*
- 15.00 – 17.00** **Case Session I – Animal trafficking**
Environmental crimes in the area of animal trafficking. Presentation of a case and discussion of the case in working groups
Jan Van den Berghe (Vice President Court of First Instance, Ghent/Belgium), largely in parallel working groups

Tuesday 23 October 2012

- 9.00 – 10.15** **Case session II – Industrial accident leading to severe groundwater pollution**
Environmental crimes in the area of industrial pollution. Discussion of a case and exchange on similar cases in this area.
Anne Brosnan (Prosecutor, UK), partly in parallel working groups
- Coffee Break (10.15– 10.30)*
- 10.30 – 11.30** **Case session II – Continuation**
Debriefing of the case, discussion and exchange on similar cases in this area.
Anne Brosnan, in plenary

- 11.30 – 12.30** **Introduction to the Environmental Liability Directive 2004/35/EC**
Presentation of the history, objective and key elements of the Directive 2004/35/EC on environmental liability with regard to the prevention and remedying of environmental damage
Ralf Jülich

Lunch Break (12.30 – 13.30)

- 13.30 – 15.30** **Case session III - Illegal transboundary waste shipments**
Environmental crimes in the area of waste management. Discussion of a case and exchange on similar cases in this area
Manfred Stotz (Prosecutor, Frankfurt/Germany), partly in working groups

Coffee Break (15.30 – 15.45)

- 15.45 – 17.00** **European co-operation in the field of environmental crimes**
Presentation on European cooperation related to the prosecution of environmental offences and enforcement of national judgments followed by open discussion
Anne Brosnan

Wednesday 24 October 2012

- 9.00 – 9.45** **How to access relevant online information**
The use of Eur-lex and other suitable sources for European environmental legislation, court decisions and other useful documents – a brief guidance
Igor Dizdarevic

Coffee Break (9.45 – 10.00)

- 10.00 – 11.00** **Exchange session on environmental crimes in EU Member States**
Discussion of the situation as regards environmental crimes prosecution and sanctioning in European Member States
Moderation: Igor Dizdarevic & Ralf Jülich

- 11.00 – 11.45** **Evaluation of workshop**
Review and feedback of participants on workshop
Moderation: Ralf Jülich

End of workshop, Departure