

COOPERATION WITH NATIONAL JUDGES IN THE FIELD OF EU ENVIRONMENTAL LAW



WORKSHOP ON EU LAW ON INDUSTRIAL EMISSIONS

ACADEMY OF EUROPEAN LAW (ERA) ON BEHALF OF THE EUROPEAN COMMISSION
(CONTRACTING AUTHORITY)



Trier, 11-13 September 2013

ERA

I. WORKSHOP ON EU LAW ON INDUSTRIAL EMISSIONS

Trier, 11-13 September 2013

ERA Conference Centre,
Metzer Allee 4, Trier, Germany

Organiser:

ERA (Monika Krivickaite) in cooperation with the European Commission, DG ENV (Contracting Authority)

Language: English

Objective

The goal of this two and a half day workshop is to develop and raise understanding on the key legal aspects of EU Law on industrial emissions and to exchange views of judges from various Member States regarding this topic.

Key topics

- Relevance of EU law and procedures at the CJEU for the domestic judge
- The new structure of the IED and the links between IPPC/IED and NEC
- BAT conclusions
- Public participation
- Enforcement of EU and national law on industrial emissions with focus on inspections and penalties

Who should attend?

Judges from all EU Member States who are interested in environmental law and particularly in the EU law on industrial emissions.

Speakers

Gabriella Gerzsenyi, Policy Officer – Legal Expert, Industrial Emissions, Air Quality & Noise, DG Environment, European Commission, Brussels

Jerzy Jendrośka, Partner of Jendrośka Jerzmański Bar & Partners, Environmental Law Center, Wrocław; Adjunct Professor, Opole University

Andrej Kmecl, Judge, Administrative Court of the Republic of Slovenia, Head of the Department for Environment, Spatial Planning and Construction, Ljubljana

Monika Krivickaite, Course Director, European Public Law, ERA, Trier

Christoph Sobotta, Legal Secretary, Chambers of Advocate General Juliane Kokott, Court of Justice of the European Union, Luxembourg

Peter Vajda, Environmental Expert, Energy Community Secretariat, Vienna

Programme

Wednesday, 11 September 2013

08:45 Arrival and registration of participants

09:00 **Setting the scene**

Monika Krivickaite

- Welcome
- Explaining the programme of the workshop
- Introduction of trainers and participants
- Introduction to documentation and working methods

09:30 **The relevance of EU Law and the procedures of the CJEU for the domestic judge**

Christoph Sobotta

- The role of the national judge in the European judicial system
- Preliminary ruling procedure
- Infringement procedure

10:30 Coffee break

11:00 **Presentation of the Case-study I: Reference for a preliminary ruling**

Christoph Sobotta

11:30 **Case-study I:** Working groups

13:00 Lunch break

14:00 **Case-study I:** Discussion of the results

15:00 **The new Industrial Emissions Directive**

Gabriella Gerzsenyi

- New structure of the IED
- IED in the context of other legal instruments
- Links between IPPC Directive/IED and NEC

16:00 Coffee break

16:30 **BAT conclusions**

Gabriella Gerzsenyi

17:30 End of the first workshop day

Thursday, 12 September 2013

09:00 **Enforcement of EU and national law on industrial emissions with focus on inspections and penalties**

Peter Vajda

10:00 **Role-play: simulation of an administrative procedure resulting in penalties**

Peter Vajda

- 11:00 Coffee break
- 11:30 **Role-play: discussion of the results**
- 12:00 **Large combustion plants and their specific situation**
Peter Vajda
- 13:00 Lunch break
- 14:00 **Cross-border co-operation of judges**
Andrej Kmecl
- Co-operation between judges from different EU Member States
 - co-operation between judges and relevant national authorities
- 15:00 **Presentation of the Case study II: Questions regarding permitting procedure**
Andrej Kmecl
- 15:30 Coffee break
- 15:45 **Case-Study II: Working groups**
- 16:45 **Case study II: Discussion of the results**
- 17:30 End of the second workshop day

Friday, 13 September 2013

- 09:00 **Public participation**
Jerzy Jendroška
- 10:00 **Exchange session on industrial emissions**
Monika Krivickaite
- 11:00 Coffee break
- 11:30 **Access to e-EU law**
Monika Krivickaite
- EU environmental law on the internet
 - E-Justice Portal
 - Accessing the case law of the CJEU
- 12:00 **Evaluation of the workshop**
Monika Krivickaite
- 12:30 End of the workshop