



## EU LEGISLATION ON NATURE PROTECTION

Workshop for judges and prosecutors

Stockholm, 29-31 October 2024



EXCELLENCE IN  
**EUROPEAN LAW**<sup>1</sup>

### Speakers & training managers

**Maria Alexandra Aragao**, Professor at the Faculty of Law of the University of Coimbra

**Anders Bengtsson**, Former Senior Judge, Växjö Land and Environment Court, Sweden

**Anne Brosnan**, Deputy Director (Chief Prosecutor), Legal and Audit Services, Environment Agency, Bristol

**Luisa Cortat**, Course Director, European Public Law, ERA, Trier

**Christina Olsen Lundh**, Judge at Division 2 of the Land and Environment Court, Vänersborg

**Diarmaid O’Cuanachain**, DG Environment, European Commission, Brussels

### Key topics

- Habitats Directive
- Birds Directive
- Bern Convention
- Marine protection
- Forest protection
- Combating environmental crimes and infringements
- CJEU case law
- Preliminary reference procedure
- Access to justice
- Various case studies

**Language**  
English

**Event number**  
424DV133

**Organiser**  
ERA (Dr Luisa Cortat) on behalf of the European Commission

# EU LEGISLATION ON NATURE PROTECTION

## 29 October 2024, Tuesday

08:45 Arrival and registration of participants

09:00 **Welcome and introduction**  
*Luisa Cortat*

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### I. SETTING THE SCENE

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Chair: Christina Olsen Lundh

09:15 **Protection of Habitats and Species: a scientific and technical introduction**

- Role of the ecosystem
- Mitigating and adapting to climate change

10:00 Discussion

10:15 **Main features in the international law framework**

- Convention on Biological Diversity and the IPBES
- Nature conservation and related environmental treaties, such as CMS, CITES, UNFCCC, and UNCLOS

11:00 Discussion  
*Luisa Cortat*

11:15 Coffee break

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### II. EU LEGISLATION, POLICY, AND CASE LAW ON NATURE PROTECTION

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Chair: Luisa Cortat

11:45 **Habitats Directive**

- Main Objectives and key features
- Species protection
- Articles 4 and 6
- CJEU case law, including cases C-293 & 294/17, C-444/21, C-721/21, C-463/19, C-849/19, C-674/17, C-461/17, C-323/17, C-164/17 and C-444/21.

12:30 Quiz and Discussion  
*Diarmaid O'Cuanachain*

13:00 Lunch break

14:00 **Case study on assessment of an infrastructure project**

- Introduction to the case study
- Working groups
- Plenary discussion of the results

*Maria Alexandra Aragao*

15:30 Coffee break

16:00 **Birds Directive**

- Main objectives and key features
- Species Protection
- Natura 2000
- CJEU case law, including cases C-432/21, C-473 & 474/19, C-900/19, C-441/17, C-97/17 and C-557/15.

16:45 Discussion  
*Diarmaid O'Cuanachain*

17:00 End of the first workshop day

19:00 Joint conference dinner

## 30 October 2024, Wednesday

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### III. EU LEGISLATION, POLICY AND CASE LAW ON NATURE PROTECTION (Cont.)

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Chair: *Christina Olsen Lundh*

09:30 **Case study on granting derogation from strict protection (such as hunting)**

- Introduction to the case study

## Objective

The aim of this 2.5-day workshop is to provide participants with a comprehensive overview of the different legal instruments applicable to nature protection, which have increasingly appeared in complaints and case-law as biodiversity continues to be threatened in the EU. Emphasis will be given to EU legislation and case law related to the protection of habitats, birds, maritime ecosystems and forests, as well as the issues related with invasive species, and an overview of the highlights of protecting the environment through criminal law. This workshop will also shed light on the most significant case-law, together with case studies on some of the most common procedures judges and prosecutors may find in day-to-day practice. Addressing these issues will facilitate the handling of future national court proceedings in this field.

## Who should attend?

Judges and prosecutors interested in environmental law.

## Venue

Judicial Training Academy  
Torsgatan 11, Stockholm  
Sweden

## Your contact persons



Dr Luisa Cortat  
Course Director  
European Public Law  
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Assistant  
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- Working groups
  - Plenary discussion of the results
- Anders Bengtsson*

11:00 Coffee break

11:30 **Bern Convention**

- Main objectives and key features
- 2030 agenda

12:00 Discussion  
*Maria Alexandra Aragao*

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#### IV. EU LEGISLATION FOR SPECIFIC NATURE PROTECTION

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Chair: *Luisa Cortat*

12:15 **Maritime protection**

- Marine Strategy Framework Directive
- 2002 EU Recommendation on Integrated Coastal Zone Management
- Common Fisheries Policy Regulation and related regulations
- CJEU case law, including cases C-559/19, C-683/16 and C-669/16.

13:00 Discussion  
*Christina Olsen Lundh*

13:15 Lunch break

14:15 **An overview of further EU legislation on nature protection**

- Invasive species regulation
- Forest protection
- Nature Restoration Law
- CJEU case law.

15:00 Discussion and quiz  
*Maria Alexandra Aragao*

15:30 Coffee break

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#### V. ENFORCEMENT AT THE NATIONAL LEVEL

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16:00 **Combating environmental crimes and related infringements**

- Highlights of the Environmental Crime Directive
- European Commission Guidance document on combating environmental crimes and related infringements.

16:45 Discussion  
*Anne Brosnan*

17:00 End of the second workshop day

## 31 October 2024, Thursday

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#### V. ENFORCEMENT AT THE NATIONAL LEVEL (Cont.)

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Chair: *Luisa Cortat*

09:30 **The role of national judges and prosecutors in enforcing EU nature protection law – focus on preliminary reference and requirements for access to justice**

10:15 Discussion  
*Anders Bengtsson*

10:30 Coffee break

11:00 **Case study on two wind energy projects and “renewable acceleration area” (RED III) – role-playing exercise**

- Introduction to the case study
- Working groups
- Plenary discussion of the results

*Christina Olsen Lundh*

12:30 **Evaluation of the workshop**  
*Luisa Cortat*

13:00 End of the workshop

# Apply online for EU LEGISLATION ON NATURE PROTECTION

Workshop for judges and prosecutors

Stockholm, 29-31 October 2024 / Event Number: 424DV133



Financed by the "Cooperation with National Judges in the field of Environmental Law"  
programme of the European Union

## Terms and conditions of participation

### Selection

1. Participation is only open to judges and prosecutors from all EU Member States.
2. The number of places available is limited. Participation will be subject to a selection procedure. Selection will be dependent on:
  - i. the relevance of the seminars to the professional life of the applicant;
  - ii. geographical and linguistic balance among the participants will be sought;
  - iii. In case of exceeding applications, only one person per institution may be accepted.
3. Online applications can be made until **06 September 2024**
4. A response will be given to every applicant of this workshop shortly after this deadline. We advise you not to book any travel or hotel before you receive our confirmation.

### Registration Fee

5. There is no registration fee.

### Travel expenses

6. **The travel expenses will be reimbursed to a maximum of 400 euros** subject to the submission of the originals of travel receipts (like flight ticket, boarding pass, train ticket, taxi costs can only be reimbursed in exceptional cases and has to be justified in written, etc.). Participants are advised of the obligation to use the most cost-efficient mode of transport available.

### Accommodation

7. **Maximum 3 hotel nights** will be covered directly by ERA, only for the hotel booked by ERA.

### Other services

8. Lunches, beverages consumed during the event and the workshop documents are offered by ERA.

### Participation

9. Participation to the whole workshop is required and your presence will be monitored.
10. A list of participants including each participant's address will be made available to all participants unless the ERA receives written objection from the participant no later than one week prior to the beginning of the event.
11. The participant's address and other relevant information will be stored in ERA's database in order to provide information about future ERA events, publications and/or other developments in the participant's area of interest unless the participant indicates that he or she does not wish ERA to do so.
12. A certificate of attendance will be issued at the end of the workshop.

### Online application:

[www.era.int/?133074&en](http://www.era.int/?133074&en)

### Language

English

### Contact Person

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