

Following some short Danish answers to the questionnaire:

In Denmark all judges are legal judges and generalists. We don't have e.g. expert judges or in-house experts. In first instance cases and in the two High Courts the court can decide, that two experts shall participate in the case if expertise could be of importance for the case. If experts participate they have the same vote as the legal judges in the case. Experts can't participate in the Danish Supreme Court.

The experts are appointed on two lists made by the presidents in the two High Courts for a period of four years – one list for each High Court and the first instance courts under the High Court. The lists contains all kinds of experts – not only environmental experts. The parties in the case can ask the court to use experts from the list in their case. Then it is up to the court to decide if experts shall participate. The court can also alone decide that experts shall participate.

I don't know if it has ever happened in an environmental case in Denmark – civil or criminal.

Normally experts are used as witnesses or they can make a statement to the court. Just as in all other cases.

Danish Judges are not allowed to investigate the scientific dimensions of environmental cases ex officio.

Danish Judges do not exercise control over the scientific fact-finding process.

The standard of proof for environmental cases in Denmark is the same as in all other administrative, civil and criminal cases. Environmental cases do not have a more important status than other important cases in Denmark. It all depends on the content of the case.

It is important to point out that Denmark does not have an administrative court system or administrative courts. We only have one court system having all kinds of cases (except the Sea and Trade Court in Copenhagen).

I hope these answers will give a little help.