

# ERA training on EU Environmental Law

EUFJE ANNUAL CONFERENCE  
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## About ERA

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Who we are?

What we do?

ERA and environmental law training:

- open programme (AC, SC, ad hoc events)
- specific programme for the judiciary in cooperation with and on behalf of the European Commission's DG ENV



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## Cooperation with national judges in the field of environmental law



COM Programme launched in 2008 (3 phases) – dialogue with the Contractor and supported by a Steering Committee

### Main aims:

- production of training materials for judges/prosec/trainers
- organisation of pan-European workshops on the basis of the materials
- coverage of nearly all major topics of EU environmental law
- dissemination and use of the training materials at national level

### Outcome in a nutshell since 2009:

- 16 training modules
- over 50 workshops for 1200 judges/prosecutors



## Topics of the training modules developed since 2013



- Access to Justice in Environmental Matters Before National Courts (2019)
- Air Quality and Noise Legislation (2015)
- Biodiversity and Wildlife Trafficking (2016)
- EIA and Nature Directives (2014)
- EU Environmental Assessment Legislation – EIA & SEA Directives (2017)
- Industrial Emissions (2013, will be reviewed in 2019)
- Nature Protection Legislation – Focus on Site Protection (2017)
- Nature Protection Legislation – Focus on Species Protection (2018)
- Participatory and Procedural Rights in Environmental Matters (2015)
- Waste Law (2016)
- Water Law (2017)



## What training materials? Where to find them?



### Methodology:

- trainers' manual
- speakers' contributions
- background documentation
- two e-learning courses: blended and stand-alone (since 2013)

### Where to find the materials?

- [www.ec.europa.eu/environment/legal/law/judges.htm](http://www.ec.europa.eu/environment/legal/law/judges.htm)
- [www.era.int/environment\\_judges](http://www.era.int/environment_judges)
- Methodology & Resources Database of EJTN



## Pan-European Workshops



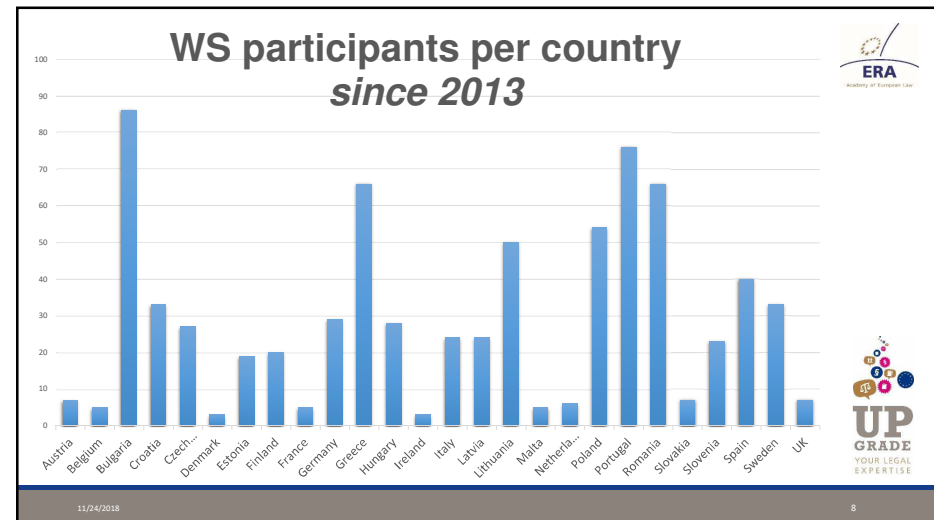
### Main features (since 2013):

- in different cities (Barcelona, Bucharest, Budapest, Lisbon, Madrid, Paris, Sofia, Thessaloniki, Trier, Vilnius, and Warsaw)
- aimed at up to 25 participants each (mainly for judges, sometimes also for prosecutors)
- duration of 2.5 days each
- nearly all in EN only (once in EN/FR, once in EN/PL, once in GR only)
- testing the materials and finalising the stand-alone e-learning modules

### Participation...



	2013		2014			2015		2016			2017		2018		TOTAL
	Industrial Emissions	EIA & Nature Directives	Participatory & Proced. Rights	Train the trainers	Air Quality & Noise	Biodiversity & Wildlife Trafficking	Waste Law	Water Law	Nature Protection (Sites)	Nature Protection (Species)	EIA & SEA				
	2 events	4 events	5 events	1 event	3 events	2 events	3 events	2 events	3 events	2 events	3 events	2 events	3 events		
Austria	1	2	1		2				1					7	
Belgium	1		1			1	2							5	
Bulgaria	6	9	13	1	10	6	8	8	12	6	7			86	
Croatia	2	2	6		1	3	1	2	9	2	7			33	
Czech Rep.	1	5	10	1			4	1	2		3			27	
Denmark	1	1			1									3	
Estonia	1	4	3	2	1			2	2	3	1			19	
Finland		3	8	1	1		2		2	3				20	
France	1	1		1	3									5	
Germany	1	5	6		2	3	2	2	4		4			29	
Greece	5	2	1	1	5	7	14	1	4	21	5			66	
Hungary	7	1	3	1	1	1	3	2	2	1	6			29	
Ireland	1		2	1							6			3	
Italy	1	10			2		3	4	1		3			24	
Latvia	3	5	8		1	1	3	1	1		1			24	
Lithuania	5	7	10	1	5	6	6	6	3	1				50	
Malta	1		1		1					1	1			5	
Netherlands	1	1	1	1			2							6	
Poland	5	5	17		2	2	1	6	3		13			54	
Portugal	2	15	6	1	10	3	8	4	12	6	9			76	
Romania	2	13	16	1	7	5	5	4	5	4	4			66	
Slovakia	1		1	1	1		1				1			7	
Slovenia	4	3	6	1	3	4				1				23	
Spain		4	3	1	2	6	10	3	4		7			40	
Sweden	1	6	3	1	6	2	3	8	3					33	
UK		1	1		2	1	1	1						7	
<b>TOTAL</b>	<b>50</b>	<b>105</b>	<b>127</b>	<b>17</b>	<b>69</b>	<b>51</b>	<b>79</b>	<b>55</b>	<b>72</b>	<b>48</b>	<b>73</b>	<b>48</b>	<b>73</b>	<b>746</b>	



## Priorities for the third phase of the Programme (until 2020)



Improving, reviewing and updating the modules developed in the first phase of the programme (incl. e-learning)

Keeping up to date the more recent modules

Developing new modules (?) – **your ideas?**

Improving the dissemination strategy – **your help?**

Consolidating the network of participants

**Ensuring that the training materials are used at national level**



## Using training materials in national training activities: *Why such a limited uptake so far?*



- A limited offer of environmental law training at national level (nothing in at least 1/3 of the MS, limited and/or non systematic offer in a majority of MS. Only 3 exceptions) => not a training priority
- Exclusive focus of the training materials on the EU legal framework => additional efforts needed for their re-use at national level
- Challenges related to the “nature” of EU environmental law (mainly directives)
- Language

*Also to be considered:*

- Have we done enough to take the NTIs on board?
- Are we sure the materials are not used?



## The involvement of national training bodies

National judicial training bodies, supreme administrative courts, and judges' associations	
Austria	Association of Austrian Administrative Judges
Bulgaria	National Institute of Justice *
Croatia	Judicial Academy *
Czech Republic	Supreme Administrative Court
France (2)	National School of Magistracy * & Council of State
Germany	German Judicial Academy
Greece	National School of Judges *
Hungary	National Office for the Judiciary *
Italy	High School for the Magistracy *
Latvia	Latvian Judicial Training Centre *
Lithuania	National Courts Administration *
Malta	The Judicial Studies Committee *
Poland (2)	National School of Judiciary and Public Prosecution * & Supreme Administrative Court
Portugal	Centre of Judicial Studies *
Romania	National Institute of Magistracy *
Slovak Republic	Judicial Academy *
Slovenia	Judicial Training Centre, Ministry of Justice *
Spain (2)	Judicial School (GCJ) * & Centre for Legal Studies (Ministry of Justice) *
United Kingdom (2)	Judicial College of England and Wales * & Judicial Institute for Scotland *



## The participation of European Associations

- Association of European Administrative Judges (AEAJ)
- Association of the Councils of State and Supreme Administrative Jurisdictions of the European Union a.i.s.b.l. (ACA-Europe)
- European Network of Prosecutors for the Environment (ENPE)

*EU Forum of Judges for the Environment (EUFJE)*



## Working on some avenues to improve the uptake

As a consequence of the 2015 survey a differentiated approach to MS seems necessary

Better involving trainers and multipliers?

Making EU training materials part of the national training concepts => translation of (part of) the materials

Cooperation with EJTN – already the case, but could be more (yearly training and materials on the M&R section of the website)

Integrating trainings



Thank you for your attention!

### Training managers:

- Kleoniki POUIKLI ([kpouikli@era.int](mailto:kpouikli@era.int))
- Monika ZELINSKI ([mzelinski@era.int](mailto:mzelinski@era.int))

Jean-Philippe RAGEADE ([jrageade@era.int](mailto:jrageade@era.int))



## 2. Creation/updating of training modules & organisation of related workshops: *What topics?*



Choice of topics for new or updated training modules: further consultation of the 2013 survey? Consultation of the stakeholders? Focus groups? Another needs assessment survey?

New modules (?):

- Maybe a new approach by making use of (part of) the available modules in a different way, such as “Introduction to...” (for generalists/beginners), “Recent case law on...” (advanced).
- In the same vein as above: using the materials from the angle of the competence of a judge/prosecutor and the emergence of cases, rather than from a thematic angle => very challenging to conceive and difficult to “sell”
- Regional modules?
- New topics: ELD, emissions trading and the Seveso Directive



*What else? See the EUFJE-ENPE project*