

	<p>ENFORCE!</p> <p>European Environmental Bureau Justice and Environment – European Network of Environmental Law Organizations</p> <p>Workshop on enforcement of EU environmental policies</p> <p>13-14 October, Brussels, Belgium</p> <p>Draft Agenda</p>	
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Today the target dates for many EU environmental targets have been missed or are rapidly approaching and it is clear that they are unlikely to be achieved. **The gap between what the law requires and what in the practice** occurs is a major concern for the effectiveness and future development of EU environmental policies.

The post-enlargement Commission started its work in January 2005 with, inter alia, the strategic objective that *'... the Union should deliver in terms of implementation and reach out to every European. First, the Union must work well, and be seen to work well'* and states *'Failure to apply European legislation on the ground damages the effectiveness of Union policy and undermines the trust on which the Union depends. The perception that "we stick by the rules but others don't", wherever it occurs, is deeply damaging to a sense of European solidarity...**Prompt and adequate transposition and vigorous pursuit of infringements are critical to the credibility of European legislation and the effectiveness of policies**'.*

Today no progress is visible. Whether the Commission's reported decline in the number of environmental complaints is due to an improved implementation record, a decline in citizens' interest in the EU or increased rejection of complaints by the Commission, is unclear. In any case, the Commission has not put forward a convincing strategy. The enforcement capacity of DG Environment is effectively declining, while the enforcement needs are increasing. And the proposed regulation on access to justice in environmental matters is still stalled in the Council. At the same time under the influence of the Lisbon agenda and the **"better regulation"** exercise, environmental regulation is being put on a backburner and replaced by soft substitutes for enforceable legislation. DG Environment also appears to have adopted a softer approach towards enforcement.

Environmental NGOs need to address these developments and make proposals for improvements to this situation. Therefore, the workshop brings together experts and NGO representatives in order to discuss these issues, develop recommendations for action and agree on a follow-up.

Implementation and enforcement of EU Environmental Policy and Law is of crucial importance in the ten new EU Member States, as fast economic development puts high pressure on Natural Resources and the Environment. With **"Justice and Environment – European Network of Environmental Law Organisations"** a young and dynamic group of environmental law NGOs has emerged. With the exception of Austria the network covers only Environmental Law Organisations from **New Member States**, namely from Czech Republic, Slovakia, Poland, Hungary and Estonia. Justice and Environment currently has its main focus on the Aarhus Convention, on Environmental Impact Assessment (EIA) and on Natura 2000 and – among other activities – has prepared a number of case studies on each of these topics.

Friday, 13 October

THEME ONE: Towards an Effective EU Environmental Policy

09:30	Welcome and opening by the chair	Ralph Hallo, SNM
1. SESSION: SETTING THE SCENE		
09:45	Introduction of the participants : Question and answer session led by the Chair:	All participants
10:30	Kick off presentations: Introduction on requirements for EU legislation – related to the current approach by the Commission (15 min) Key Findings and Recommendations of IEEP report on 6EAP review on EU legislation and its enforcement (15 min) The decline of enforcement capacities, with a focus on the member state level (15 min)	Ludwig Krämer, Professor at the Bremen University Marc Pallemmaerts, IEEP Christian Hey, SRU
11:15	Coffee Break	
11:30	Discussion Q: 1. How far is the enforcement crisis linked with EU's orientation crises? Or with an environmental crisis, i.e. failure to achieve results, expected climate impacts? 2. What are the essential requirements for effective policies? Can the "better regulation" agenda deliver? 3. What specific recommendations do we have for improvements regarding the role of Commission, Parliament, Member States and NGOs?	All
12:15	Conclusion on principles for effective environment policies	Ralph Hallo, SNM
13:00	Lunch	
2. SESSION: TOWARDS ACTION		
14:00	Presentation of ongoing activities by NGOs and lawyers networks 1. EEB snapshot reports and strategic complaints. 2. J&E on EIA and Transport Infrastructure 3. Overview of existing NGO and Lawyers networks	Stefan Scheuer, EEB Martin Fadryny, J&E NN, ELNI
15:00	Splitting up into parallel Working Groups 1. Obstacles and way forward to effective enforcement – how can Green NGOs contribute? Chair to be decided 2. Elements for an efficient NGO support structure for legal implementation activities - how can Environmental Law NGOs and other Green NGOs best co-operate and how can J&E support the Green 10 in their work? Chair: Thomas Alge, J&E	
16:00	WG Reports to Plenary (5 min each) and discussion	WG Chair
16:45	Developing actions points and identifying commitments	All
17:30	Conclusions	Ralph Hallo, SNM
18:00	END	

Saturday, 14 October

THEME TWO: Enforcement of the Aarhus Convention in the EU

10:00	Welcome and opening	John Hontelez, EEB
10:15	Introduction to the state of implementation of the 2 Directives Q&A	Bettina Lorz (DG Env)
11:15	Coffee Break	
11:30	Discussion on the focus and methodology of the assessment Objective: Prepare an assessment of the enforcement of the 2 Aarhus Directives that have entered into force, to be carried out in the last two months of 2006.	ALL
13:00	Lunch	
14:00	Discussion of the opportunities and limitations of the newly-adopted Regulation applying Aarhus to the EU institutions Objective: Systematic approach on its implementation, and a possible test-case regarding the Access to Justice pillar	ALL
15:30	Conclusions	John Hontelez, EEB
16:00	END	