The European Union Forum of Judges for the Environment – Report on past and planned conferences

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Justice Belgian Constitutional Court
President EUFJE
Aim:

- Exchange of experiences in area of training of the judiciary in environmental law
- Contribute to a better knowledge of environmental law
- Share experiences with environmental case law
- Contribute to a more effective enforcement of environmental law
Membership:
- Open for all judges within the EU (and EEA) with a special interest in environmental law
- Judges from states that are applying for EU membership can follow activities as observers

Supported by DG Environment of the European Commission and DG Environment FPS Health, Security of Food Chain & Environment of Belgium

Member of the newly created “EU Environmental Compliance and Governance Forum”
Annual Conferences:

- The Hague 2004: organisation of the national judiciaries in relation to environmental law – training in the field of environmental law
- London 2005: waste legislation and case law
- Helsinki 2006: nature protection
- Luxembourg 2007: criminal enforcement of environmental law
- Paris 2008: soil pollution
- Stockholm 2009: integrated pollution prevention and control
- Brussels 2010: application of European biodiversity law at national level
Warsaw 2011: environmental protection and land use planning
The Hague 2012: national judges and EU Environmental Law
Vienna 2013: access to justice in environmental matters
Budapest 2014: environmental impact assessment
Bolzano 2015: the protection of the environment through criminal law
Bucharest 2016: human rights and the protection of the environment
Oxford 2017: climate change and the judiciary
Oxford 2017 Conference

Key presentations:

- Laurent FABIUS, “Paris Accord - Towards a global pact for the environment”
- Dr Friederike OTTO, “Climate change science and policy”
- Dr Damien MEADOWS, “EU Climate Change Policies after COP21”
- Prof. Catherine REDGWELL, “Climate change adjudication: what role for international law?”
Patrick DIETZ, “The Commission notice on access to justice in environmental matters – relevance for climate action”

Justice DOVE, and Justine THORNTON Q.C., “Climate change in the UK courts: perspectives of an advocate and a judge”

Justice Michael WILSON, “Climate change: the role of judges”

Dou SHUXIA, “Progress of Public Interest Litigation in China”
Country Reports on Climate Change Adjudication – Overview of national case law

Growing number of cases with a link to climate change – Most of the time rather technical issues (planning, permitting, emission trading, renewable energy, taxation…) - Constitutional, administrative and civil courts involved
Some seminal cases

- **The Netherlands**: *Urgenda Case* (pending in appeal): emissions should be cut with 25% towards 2020 (compared with 1990)
- **Belgium**: the *Klimaatzaak* (pending)
- **Norway**: *Nature & Youth and Greenpeace Nordic* (admissible but not well founded)

More information:

Keynote Speech by Laurent FABIUS – President of the Constitutional Council of France – Former Minister of Foreign Affairs and President of COP 21
Planning 2018

- Annual Conference in Sofia (Bulgaria) on 16 and 17 November: specialisation in environmental adjudication
- Participation in the 1st Meeting of the GJIE Interim Governing Committee (Brasilia 15-20 March)
- Participation in activities of the EU Environmental Compliance and Governance Forum & Commission Action Plan on Environmental Compliance Assurance
More information

www.eufje.org