

elni

REVIEW

Articles with focus on environmental law networks

- The Importance of International Environmental Enforcement Networks: INECE as an example
- European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL)
- NEEL: the Network of EU Environment Lawyers
- The Nordic Environmental Law Network (NELN)
- Networking in the Nordic Countries
- The Avosetta Group

Articles with focus on other topics

- Towards an integrated approach for sustainability labelling and certification
- REACH: How far will the chemicals legislation reach to protect human health and the environment from hazardous chemicals?
- Rethinking the Role of Information in Chemicals Policy: Implications for TSCA and REACH

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NEEL: the Network of EU Environment Lawyers

Gill Aitken

1. Introduction

As a UK lawyer with responsibility for environmental issues I wanted more opportunities to compare ideas and practice with those drafting and interpreting environmental legislation in other Member States and Community institutions. The United Kingdom's Presidency of the EU, from 1 July to 31 December 2005, presented an ideal opportunity to invite governmental experts in environmental law to meet and collaborate on issues of mutual interest.

We launched the Network of EU Environment Lawyers (NEEL) as a Presidency event in London on 3 and 4 October 2005. Participants came from almost every Member State and from some of the institutions and were enthusiastic about the potential for such a group. The two-day conference covered both the purpose and constitution of the Network and also lively discussion of a number of issues of importance to the members - particularly on transposition, implementation and enforcement of EU law with reference to the Habitats Directive, and the Environmental Liability Directive.

NEEL was born and now has terms of reference, a dedicated website community offering discussion forums, a directory of members, monthly discussion topics and a quarterly newsletter.

2 NEEL's members and aims

NEEL is an open-ended group of officials, with legal responsibilities, from all the Member States, the two accession countries, and the institutions of the EU. The Network presently has 115 members.

The Network's aim is to enable members to:

- (1) share expertise, experience and information regarding the legal aspects of negotiation, transposition, implementation and infringement of EU environmental law; and
- (2) identify their counterparts in each Member State and, where appropriate, the institutions.

Although NEEL is made up of officials from the Member States and the institutions of the EU, its members participate and communicate in a personal rather than an official capacity.

3 Electronic network facilities

The Network's electronic facilities are a key feature of NEEL, facilitating communication and knowledge sharing. The facilities include, for example,

online discussion boards, allowing members to post messages and debate issues of mutual interest. Discussion topics have, as one would expect, been diverse to date, ranging from tallow burning to implementation of the Strategic Environmental Assessment Directive.

4 NEEL's relationship with other networks and groups

NEEL is intended to complement rather than duplicate the work of other networks and groups, for example the European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL), which, as readers will know, is an informal network of European regulators concerned with the implementation and enforcement of environmental legislation.

5 Future development

Since NEEL's launch, we have been working on a number of initiatives to develop the Network. The Network's members now have the opportunity to debate monthly questions on legal issues linked to each EU Presidency's environmental priorities. The topics for the next few months are likely to include, from amongst Austria's Presidency priorities: (i) genetically modified organisms, (ii) air quality, (iii) climate change, (iv) waste, and (v) the urban environment. In addition, the Network now has a quarterly newsletter, the first issue of which was recently published on the Network's website.

We hope that NEEL will meet in plenary annually and that members will also meet at sector specific conferences.

6 Prospective members

NEEL would be delighted to welcome new members with a legal role relating to environmental law from Member State administrations, accession country administrations, and the EU institutions.

Access to the Network's website is via a Login ID and Password. Prospective members are invited to contact Kevin Ainsworth of Defra: kevin.ainsworth@defra.gsi.gov.uk; +44 (0) 20 7238 1219.

The Öko-Institut (Institut für angewandte Ökologie - Institute for Applied Ecology, a registered non-profit-association) was founded in 1977. Its founding was closely connected to the conflict over the building of the nuclear power plant in Wyhl (on the Rhine near the city of Freiburg, the seat of the Institute). The objective of the Institute was and is environmental research independent of government and industry, for the benefit of society. The results of our research are made available of the public.

The institute's mission is to analyse and evaluate current and future environmental problems, to point out risks, and to develop and implement problem-solving strategies and measures. In doing so, the Öko-Institut follows the guiding principle of sustainable development.

The institute's activities are organized in Divisions - Chemistry, Energy & Climate Protection, Genetic Engineering, Sustainable Products & Material Flows, Nuclear Engineering & Plant Safety, and Environmental Law.

The Environmental Law Division of the Öko-Institut:

The Environmental Law Division covers a broad spectrum of environmental law elaborating scientific studies for public and private clients, consulting governments and public authorities, participating in law drafting processes and mediating stakeholder dialogues. Lawyers of the Division work on international, EU and national environmental law, concentrating on waste management, emission control, energy and climate protection, nuclear, aviation and planning law.

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The University of Applied Sciences in Bingen was founded in 1897. It is a practiceorientated academic institution and runs courses in electrical engineering, computer science for engineering, mechanical engineering, business management for engineering, process engineering, biotechnology, agriculture, international agricultural trade and in environmental engineering.

The *Institute for Environmental Studies and Applied Research* (I.E.S.A.R.) was founded in 2003 as an integrated institution of the University of Applied Sciences of Bingen. I.E.S.A.R. carries out applied research projects and advisory services mainly in the areas of environmental law and economy, environmental management and international cooperation for development at the University of Applied Sciences and presents itself as an interdisciplinary institution.

The Institute fulfils its assignments particularly by:

- Undertaking projects in developing countries
- Realization of seminars in the areas of environment and development
- Research for European Institutions
- Advisory service for companies and know-how-transfer

Main areas of research:

- **European environmental policy**
 - Research on implementation of European law
 - Effectiveness of legal and economic instruments
 - European governance
- **Environmental advice in developing countries**
 - Advice for legislation and institution development
 - Know-how-transfer
- **Companies and environment**
 - Environmental management
 - Risk management

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The Society for Institutional Analysis was established in 1998. It is located at the University of Applied Sciences in Darmstadt and the University of Göttingen, both Germany.

The sofia research group aims to support regulatory choice at every level of public legislative bodies (EC, national or regional). It also analyses and improves the strategy of public and private organizations.

The sofia team is multidisciplinary: Lawyers and economists are collaborating with engineers as well as social and natural scientists. The theoretical basis is the interdisciplinary behaviour model of *homo oeconomicus institutionalis*, considering the formal (e.g. laws and contracts) and informal (e.g. rules of fairness) institutional context of individual behaviour.

The areas of research cover

- Product policy/REACH
- Land use strategies
- Role of standardization bodies
- Biodiversity and nature conservation
- Water and energy management
- Electronic public participation
- Economic opportunities deriving from environmental legislation
- Self responsibility

sofia is working on behalf of the

- VolkswagenStiftung
- German Federal Ministry of Education and Research
- Hessian Ministry of Economics
- German Institute for Standardization (DIN)
- German Federal Environmental Agency (UBA)
- German Federal Agency for Nature Conservation (BfN)
- Federal Ministry of Consumer Protection, Food and Agriculture

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elni

In many countries lawyers are working on aspects of environmental law often with environmental initiatives and organisations or as legislators, but have limited contact with other lawyers abroad, although such contact and communication is vital for the successful and effective implementation of environmental law.

In 1990 a group of lawyers from various countries therefore decided to initiate the Environmental Law Network International (elni) to promote international communication and cooperation worldwide. Since then elni has grown to a network of about 350 individuals and organisations from throughout the world.

Since 2005 elni is a registered non-profit association under German Law.

elni coordinates a number of different activities:

Coordinating Bureau

The Coordinating Bureau was originally set up at and financed by the Öko-Institut in Darmstadt, Germany, a non-governmental, non-profit making research institute. The Bureau is currently hosted by the University of Applied Sciences in Bingen. The Bureau acts as an information centre where members can obtain information about others working in certain areas thus promoting the development of international projects and cooperation.

elni Review

The elni Coordinating Bureau produces and sends to each member the elni Review twice a year containing members' reports on projects, legal cases and developments in environmental law. elni therefore encourages its members to submit such articles to be published in the Review in order to allow the exchange and sharing of experiences with other members.

elni Conferences and Fora

elni conferences and Fora are a core element of the network. They provide scientific input and the possibility for discussion on a relevant subject of environmental law and policy for international experts. The aim is to bring together scientists, policy makers and young researchers, giving the opportunity to exchange views and information as well as developing new perspectives.

Publication Series

The elni publications series contains 12 volumes on different topics of environmental law.

- Environmental Law and Policy at the Turn to the 21st Century, Liber amicorum, Betty Gebers, Ormond/Führ/Barth (eds.) Lexxion 2006.
- Access to Justice in Environmental Matters and the Role of NGOs, de

Sadeleer/Roller/Dross, Europa Law Publishing 2005.

- Environmental Law Principles in Practice, Sheridan/Lavrysen (eds.), Bruylant 2002.
- Voluntary Agreements - The Role of Environmental Agreements, elni (ed.), Cameron May Ltd., London 1998.
- Environmental Impact Assessment - European and Comparative; Law and Practical Experience, elni (ed.), Cameron May Ltd. London 1997.
- Environmental Rights: Law, Litigation and Access to Justice, Deimann / Dyssli (eds.), Cameron May Ltd. London 1995.
- Environmental Control of Products and Substances: Legal Concepts in Europe and the United States, Gebers/Jendroska (eds.), Peter Lang, 1994.
- Dynamic International Regimes: Institutions of International Environmental Governance, Thomas Gehring; Peter Lang, 1994.
- Environmentally Sound Waste Management? Current Legal Situation and Practical Experience in Europe, Sander/ Küppers (eds.), P. Lang, 1993
- Licensing Procedures for Industrial Plants and the Influence of EC Directives, Gebers/Robensin (eds.), P. Lang, 1993.
- Civil Liability for Waste, v. Wil-mowsky/Roller, P. Lang 1992.
- Participation and Litigation Rights of Environmental Associations in Europe, Führ/ Roller (eds.), P. Lang, 1991.

elni Website: elni.org

The elni website at <http://www.elni.org> contains news about the network and an index of elni articles, gives an overview of elni activities, and informs about elni publications. Internships for young lawyers/law students at the Öko-Instituts environmental law division are also offered on the web.