

No1/2012

ENVIRONMENTAL
LAW NETWORK
INTERNATIONAL

RÉSEAU
INTERNATIONAL
DE DROIT DE
L'ENVIRONNEMENT

INTERNATIONALES
NETZWERK
UMWELTRECHT

elni

REVIEW

European investment projects in the third countries:
LEGALLY GREEN?

Daria Ratsiborinskaya

Market-based Mechanisms as Climate Policies:
Insights for Brazil

Natascha Trennepohl

Public participation in decisions on specific activities
in environmental matters in Croatia

Lana Ofak

Nouveautés constitutionnelles, juridiques et de politique
générale relatives au Droit de l'Environnement
et du Développement Durable dans le Royaume du Maroc

Brahim Zyani

Recent developments

CONTENTS

Editorial	1
<i>International Conference: "20 years of Habitats Directive: European Wildlife's Best Hope?"</i>	
Articles within the focus	
European investment projects in the third countries: LEGALLY GREEN?	2
<i>Daria Ratsiborskaya</i>	
Market-based Mechanisms as Climate Policies: Insights for Brazil	8
<i>Natascha Trennepohl</i>	
Public participation in decisions on specific activities in environmental matters in Croatia	13
<i>Lana Ofak</i>	
Nouveautés constitutionnelles, juridiques et de politique générale relatives au Droit de l'Environnement et du Développement Durable dans le Royaume du Maroc	20
<i>Brahim Zyani</i>	
Recent development	
The Brazilian Forest Code: An Overview of Law 4.771/65 and Bill 30/11	27
La protection de l'environnement tunisien au lendemain de la révolution	30
Imprint	35
Authors of this issue	35
elni Membership	36

Editorial

This issue of *elni Review* deals with the interdependence between European law and environmental law in non-European countries. On the one hand environmental law developments in a number of countries are initiated by adaptation processes as they seek to implement the European model into their national context. But there are also on the other hand further driving forces like investment policies.

The current issue of *elni Review* contains several contributions by legal scholars and practitioners that highlight different aspects of the interdependence between European law and environmental law.

In her article "European investment projects in the third countries: LEGALLY GREEN?" *Daria Ratsiborinskaya* analyses how European environmental standards are applied outside of Europe in the case of foreign direct investments.

"Market-based Mechanisms as Climate Policies: Insights for Brazil" is the title of *Natascha Trennepohl's* contribution, which highlights the basic elements of a trading scheme by focussing on the model of the European Union Emissions Trading Scheme and the development of the carbon market in Brazil.

The adoption of the European *acquis* in Croatia is discussed by *Lana Ofak* in her article "Public participation in decisions on specific activities in environmental matters in Croatia". The article provides a general overview of the legal framework for public participation in decisions on specific activities in Croatia and highlights specific problems in exercising the right to participate in environmental impact assessment procedures.

Brahim Zyani gives a valuable overview of the current environmental law situation in Morocco by tracing the developments in recent decades in his article "Nouveautés constitutionnelles, juridiques et de politique générale relatives au Droit de l'Environnement et du Développement Durable dans le Royaume du Maroc". Since the article is written in French a summary is provided in English.

Additionally, the current issue of *elni Review* makes available new information about recent developments, e.g. the revision of the Brazilian Forest Code, which has received critical press in recent media; and the environmental regulatory developments after the 'Arab Spring' in Tunisia. The relevant article is also written in French and briefly summarized in English.

We hope you enjoy this issue! The next issue of *elni Review* will focus on water. Please send contributions on this topic as well as other interesting articles to the editors by mid-September 2012.

Nicolas Below/Gerhard Roller
May 2012

International conference on the European Habitats Directive

**from 12-13 December 2012
in Antwerp, The Netherlands**

"20 years of Habitats Directive: European Wildlife's Best Hope?"

The conference aims at assessing the strengths and weaknesses of the Habitats Directive in the light of the European 'no net loss' approach. In this respect focus will not only rest on the existing threats to biodiversity (e.g. nitrogen deposit) but also on new challenges, such as climate change and invasive alien species. Is the Habitats Directive robust enough to tackle these new and existing threats or do we need other or better legal instruments?

Although the conference will mainly be dedicated to legal issues, it will not lose sight of the broader, more multidisciplinary ecological context.

This conference is co-organised by the Université Catholique de Louvain (Séminaire de droit de l'urbanisme et de l'environnement (SERES) and Biodiversity Research Centre (BDIV)), Ghent University (Centrum voor Milieuen Energierecht (CMR) of the Department of Public Law and the Department of Public International Law), Facultés Universitaires Saint-Louis (Centre d'Etude du Droit de l'Environnement (CEDRE)), The Flemish Environmental Law Association (VVOR) and ARGUS-het milieupunt van KBC en CERA.

More information and application:
www.omgevingsrecht.be

Recent Development

The Brazilian Forest Code: An Overview of Law 4.771/65 and Bill 30/11

Curt Trennepohl

1 Introduction

When Brazil was still a Portuguese colony, there were already rules to protect the natural resources for the Portuguese Crown. Nevertheless, a proper environmental legislation aiming to preserve nature and the environmental balance is relatively recent in the country.

In fact, until a few decades ago, topics like water, vegetation and wildlife were seen by the Brazilian legislation as goods or inputs in the production process. However, this picture has changed since the 1980s and, nowadays, Brazil has an extensive and modern legislation to protect the environment. Actually, Brazil is one of the few countries whose legislation, also known as the Forest Code (Law 4.771 of 1965), requires the maintenance of forests and other vegetation in specific areas, such as Permanent Preservation Areas and Legal Reserve.

Currently, a new forest legislation is under discussion in the Brazilian Congress and a few articles of the original proposal were criticized, extending the debate not only to legislators, but also to different sectors of society. This article intends to clarify some of the controversial issues regarding Legal Reserves and Permanent Preservation Areas that shall be preserved, analyzing the forest code in force and the code under discussion. In addition, two other instruments will also be described, namely the Rural Environmental Registry, which can support the monitoring work of Brazilian environmental agencies, and the Environmental Reserve Quota, which encourages landowners to preserve the forest.

2 Permanent Preservation Areas and Legal Reserve

2.1 *The Forest Code in Force (Law 4.771 of 1965)*

The Brazilian Forest Code, which has been in force since 1965, provides two distinct categories for the preservation of forests and other forms of natural vegetation: Permanent Preservation Areas and Legal Reserves.

Permanent Preservation Areas (APP) are the ones listed in Art. 2 and 3 of Law 4.771/65. These protected areas are covered or not by native vegetation and have the function to preserve water resources, landscapes, geological stability, biodiversity, and to ensure human welfare. The aforementioned articles list areas that shall be preserved as APP, for instance the ones along rivers

or watercourses, around lakes, in the top of hills or with altitudes above 1.800 meters, and so on.

At the same time, a Legal Reserve is a protected area within a rural property needed for the conservation and rehabilitation of ecological processes, the conservation of biodiversity and the sheltering of native species (Art. 1(2, III) of Law 4.771/65). The Forest Code lists in its Art. 16 the percentages of forest and native vegetation that shall be preserved as Legal Reserve:

- I. 80% in rural properties located in the Legal Amazon¹;
- II. 35% in rural properties located in the biome Cerrado in the Legal Amazon;
- III. 20% in rural properties located in forest areas in other parts of Brazil;
- IV. 20% in rural properties located in fields from any region of the country.

It is important to highlight that the description of the environmental functions of Permanent Preservation Areas and Legal Reserves was included only in 2001 through the Provisional Measure 2166-67, which amended and introduced new items to the Forest Code.

The cutting of vegetation has different regulations, depending on the area type. In the Permanent Preservation Areas, for example, the removal of vegetation is allowed, but only in cases of public utility or social interest (Art. 4 of Law 4.771/65). In the Legal Reserve, on the other hand, the cutting of vegetation is prohibited. The use is allowed, but only through a sustainable management forest regime in accordance with previously defined principles and technical criteria (Art. 16(2) of Law 4.771/65).

2.2 *The Forest Code under Discussion (Bill 30 of 2011)*

As mentioned above, a new Forest Code is currently under discussion in Brazil. The original proposal presented at the Chamber of Deputies² triggered an

¹ The Legal Amazon is composed by the states of Acre, Amapá, Amazonas, Pará, Rondônia, Roraima, Mato Grosso, and parts of Maranhão and Tocantins (Art. 1(2, VI) of Law 4.771/65).

² The Brazilian Congress is composed of two houses: the Chamber of Deputies and the Senate. Each bill receives a number in each one of these houses. The new Forest Code, for example, started as Bill 1876 of

extensive and heated debate with different opinions from environmentalists and agribusiness representatives.

The original bill voted in the Chamber of Deputies (Bill 1876 of 1999) on 24 May 2011 was harshly criticized due to the reduction of the forest cover protection in the country. During its analysis in the Senate, the bill underwent changes (Bill 30 of 2011), making it more consistent with the need to protect natural resources. The bill was voted on 6 December 2011 in the Senate and returned to the Chamber of Deputies with several amendments to be analyzed and voted upon again.³

The amended version maintained the same percentage of Legal Reserve to be preserved as the Forest Code in force. Concerning the protection of vegetation in Permanent Preservation Areas, the amended version repeated the permission of removal in cases of public utility or social interest (as in Art. 4 of Law 4.771/65) and included the possibility of vegetation suppression in the cases of 'low environmental impact' listed in Art. 3, X of Bill 30 of 2011. As examples, some of the activities with low environmental impact are: the opening of trails for ecotourism, the construction and maintenance of property fences, the creation of small access routes (for people and animals) to obtain water or transport products from sustainable agro-forestry activities, and so on. It is important to stress that the Forest Code in force also mentions the possibility of vegetation suppression in case of 'low environmental impact' in its Art. 4(3), but the expression was left to be defined in further regulation.

3 A few Controversial Issues in the new Legislation and Deforestation Rates

One of the most controversial issues of the Forest Code under discussion refers to the suspension of fines imposed to offenses committed before 22 July 2008⁴ in regard to the illegal removal of vegetation in Permanent Preservation Areas and Legal Reserves. This item of the original Bill 1876 of 1999 was questioned by environmental non-governmental organizations, who rated the measure as an amnesty to those who illegally cleared vegetation. The

agribusiness representatives, on the other hand, argued that the suspension of fines was a way of bringing thousands of farmers and ranchers to legality.

It is important to note that this item of the original proposal cannot be considered as an unrestricted amnesty, since the suspension is conditioned to two fundamental requirements, namely the adherence to the Rural Environmental Registry (*Cadastro Ambiental Rural*) and the signing of a commitment to recover damages caused to the environment through the Program of Environmental Regularization (*Programa de Regularização Ambiental*).

The Rural Environmental Registry⁵ is one instrument of the Program *Mais Ambiente*,⁶ aiming to promote and support the environmental regulation of rural properties through the commitment of landowners to recover the Permanent Preservation Area and to register the Legal Reserve. Actually, the suspension of the fine for illegal deforestation is not an innovation of the Forest Code under discussion, considering that it was already provided in Decree 7.029/09 through the suspension of the fine to those who adhere to the Program (Art. 6(2) of Decree 7.029/09).

Another relevant point to be considered is the fact that the administrative fine can only be suspended after the signature of a formal Term of Commitment⁷, which obliges the landowner to implement a program to recover the damaged area. Thus, a financial penalty is replaced by the obligation of recovering the area, which many legislators see as an incentive for the environmental regulation of rural property.

It is well known that illegal deforestation is a key problem in Brazil. However, two facts from last year need to be highlighted, namely a decrease of deforestation rates and an extensive regeneration of forests. In fact, deforestation in the Amazon region reached in 2011 its lowest rate since monitoring began in 1988.⁸ Based also on the good results from the past years, Brazil already achieved the deforestation reduction target set for the year 2015.⁹

1999 in the Chamber of Deputies. In the Senate, the bill is called Bill 30 of 2011.

3 According to the legislative process described in the Brazilian Federal Constitution of 1988 (Articles 59 to 69), a bill passed by one house shall be reviewed by the other in a single round of discussion and voted. If the revising house approves a bill without amendments, the bill will be sent to the President, which has the power to sanction or veto (all or parts of the bill). However, if the bill is amended, it returns to the originating house to be discussed. As of February 2011, the second vote in the Chamber of Deputies is expected to take place in March 2012.

4 It is worth mentioning that until 2008 there was no specific fine for the lack of registration of the Legal Reserve. A fine was introduced by Decree 6.514 of 2008, which established administrative penalties for offenses against the environment.

5 The Rural Environmental Registry is an electronic system with georeferenced images used by the Ministry of the Environment (MMA) to identify rural properties.

6 The Program *Mais Ambiente* was established by Decree 7.029 of 10 December 2009. For more information on the Program see: <http://www.maisambiente.gov.br/>

7 The Term of Commitment between the landowner and the environmental agency constitutes an extrajudicial execution instrument (Art. 60(3) of Bill 30 of 2011), setting obligations and penalties for non-compliance.

8 According to the Brazilian National Institute for Space Research (INPE), approximately 6.238 km² were deforested in 2011.

9 See PRODES 2011. Estimativa da taxa de desmatamento da Amazônia em 2010-2011. Available at: http://www.inpe.br/noticias/arquivos/pdf/prodes_taxa2011_estimativa_de_2011.pdf, last visit on 27 February 2012. PRODES (Projeto de Monitoramento do Desflorestamento na Amazônia Legal) is a system used by

In regards of the forest regeneration, according to TerraClass, more than 150.000 km² from the almost 720.000 km² of deforested areas by 2008 are undergoing regeneration in the form of secondary vegetation, corresponding to more than 20% of the total deforested areas.¹⁰

Along with a significant reduction of deforestation rates in the Amazon region in recent years, a large area is in process of recovery. Most of these positive results in terms of decrease of deforestation rates are due to the strategic planning and intensive work of the federal environmental agency (Brazilian Institute of Environment and Renewable Natural Resources - IBAMA), always fighting against illegal deforestation and preventing some areas from being used for agricultural activities and livestock.

4 Other Instruments: Cadastro Ambiental Rural and Cota de Reserva Ambiental

The Forest Code under discussion (Bill 30 of 2011) refers to a mandatory registration¹¹ of rural properties in the *Cadastro Ambiental Rural* (Rural Environmental Registry), an important tool for strategic planning and monitoring. At the registry, all Permanent Preservation Areas, Legal Reserves and areas with remnant native vegetation shall be detailed through maps and a descriptive document. Additionally, the owner shall be identified and the landownership confirmed, facilitating the monitoring of land use.

Currently, the surveillance to tackle deforestation is carried on through on-site verification of areas where the vegetation cover has changed. These changes are first recognized in satellite images interpreted by the Brazilian National Institute for Space Research (INPE). The next step is to individually check all spots with changes in order to verify if the clearing was authorized or not and who is the landowner. Needless to say, these activities involve the use of a large amount of public resources, such as vehicles, helicopters, boats, as well as the work of thousands of agents.

The inclusion of all farms in the Rural Environmental Registry facilitates the identification of those responsible for deforestation without the need of field verification, ensuring greater efficiency to actions against illegal deforestation. Moreover, it

also improves the monitoring of the regeneration of Permanent Preservation Areas and Legal Reserves through satellite images.

Finally, the Forest Code under discussion establishes the *Cota de Reserva Ambiental* (Environmental Reserve Quota), which refers to an area with existing native vegetation or native vegetation in recovery process within a rural property. This quota creates credits that can be traded between landowners (Art. 45 of Bill 30 of 2011). In other words, the landowners who have preserved areas larger than the ones required by law can transfer the surplus of their quotas to landowners whose preserved areas are insufficient to meet the requirements of law. It is important to bear in mind that despite the fact that these Environmental Reserve Quotas can be transferred, sold or donated, they can only be used to offset a Legal Reserve located in the same biome. This innovation represents a concrete financial reward for keeping forest standing.

5 Conclusions

Despite the criticism that the Forest Code under discussion received in the Brazilian Congress, the original version voted at the Chamber of Deputies has been extensively amended in the Senate, in an attempt to reach a balance between social, economic and environmental interests.

The amended text, although not considered ideal by environmentalists, does not represent only the interests of the agribusiness sector. In reality, the suspension of fines imposed to offenses held before 2008 is not an innovation of the Forest Code under discussion and cannot be considered as an unrestricted amnesty, being conditioned to the adherence to the Rural Environmental Registry and the signing of a Term of Commitment to recover the area.

Regarding the establishment of instruments to improve monitoring and to financially reward those keeping forest standing, such as the Rural Environmental Registry and the Environmental Reserve Quotas, it cannot be denied that these mechanisms can facilitate the work of Brazilian environmental agencies, contributing to reduce deforestation rates and to increase regeneration of degraded areas.

Finally, as of February 2012, the bill is at the Chamber of Deputies for the analysis of the amendments and a new vote round. When the text is approved, the bill will be sent to the President to sanction or veto (all or parts of it).

the Brazilian National Institute for Space Research to monitor forest cutting in the Amazon region.

10 TerraClass is a map of land cover in the Amazon region produced by the Brazilian Agricultural Research Cooperation (Embrapa) and the National Institute for Space Research (INPE). See TerraClass. Levantamento de informações de uso e cobertura da terra na Amazônia. Sumário Executivo. EMBRAPA/INPE. Setembro de 2011. Available at: <http://www.cnptia.embrapa.br/userfiles/file/pdf/sumario_executivo_ataulizado14dezembro2011.pdf> last visit on 27 February 2012.

11 According to Art. 78 of Bill 30 of 2011, after five years of its publication, financial institutions can only grant agricultural loans to landowners who are enrolled in the Rural Environmental Registry.

Imprint

Editors: Regine Barth, Nicola Below, Claudia Fricke, Martin Führ, Gerhard Roller, Julian Schenten, Silvia Schütte

Editors in charge of the current issue:

Gerhard Roller and Nicola Below

Editor in charge of the forthcoming issue:

Martin Führ (fuhr@sofia-darmstadt.de)

The Editors would like to thank **Vanessa Cook** (Öko-Institut) for proofreading the *elni Review*.

We invite authors to submit manuscripts to the Editors as files by email using an IBM-compatible word processing system.

The *elni Review* is the double-blind peer reviewed journal of the Environmental Law Network International. It is distributed twice a year at the following prices: commercial users (consultants, law firms, government administrations): € 52; private users, students, libraries: € 30. Non-members can order single issues at a fee of € 20 incl. packaging. The Environmental Law Network International also welcomes an exchange of articles as a way of payment.

The *elni Review* is published with financial and organisational support from Öko-Institut e.V., and the Universities of Applied Sciences in Darmstadt and Bingen.

The views expressed in the articles are those of the authors and do not necessarily reflect those of elni.

Authors of this issue

Curt Trennepohl, President of the Brazilian Federal Environmental Agency (Instituto Brasileiro do Meio Ambiente e dos Recursos Naturais Renováveis - IBAMA), Bachelor of law and a Post-graduation in Public Administration, Author of books and articles on environmental issues and frequent speaker in conferences and seminars.
www.ibama.gov.br.

Natascha Trennepohl, Brazilian lawyer and environmental consultant in Berlin, Germany. Ph.D. candidate at the Humboldt University (Faculty of Law), Research Fellow at the Earth System Governance Project, a core project of the International Human Dimensions Programme on Global Environmental Change (IHDP), Founding member of Brazil's Voluntary Carbon Market Study Committee (established by ABNT),
natdt@hotmail.com.

Nejiba Zaier, Judge at the Court of Appeal at Tunis, Tunisia.
zaiernejiba@yahoo.fr.

Brahim Zyani, Director of Regulation and Control in the Moroccan Environmental Department.
bzyani2002@yahoo.fr.

Lana Ofak, PhD, Senior Assistant at the Chair of Administrative Law, Faculty of Law, University of Zagreb, Croatia.
lana.ofak@pravo.hr.

Daria Ratsiborinskaya, LL.M., PhD candidate and lecturer European law at the Erasmus School of Law, Erasmus University Rotterdam, the Netherlands
ratsiborinskaya@law.eur.nl.

elni membership

If you want to join the Environmental Law Network International, please use the membership form on our website: <http://www.elni.org> or send this form to the **elni Coordinating Bureau**, c/o IESAR, FH Bingen, Berlinstr. 109, 55411 Bingen, Germany, fax: +49-6721-409 110, mail: Roller@fh-bingen.de.

The membership fee is € 52 per year for commercial users (consultants, law firms, government administration) and € 21 per year for private users and libraries. The fee includes the bi-annual elni Review. Reduced membership fees will be considered on request.

Please transfer the amount to our account at **Nassauische Sparkasse** – Account no.: **146 060 611, BLZ 510 500 15**, IBAN: DE50 5105 0015 0146 0606 11; SWIFT NASSDE55.

“Yes, I hereby wish to join the Environmental Law Network International.”

Name: _____

Organisation: _____

Profession: _____

Street: _____

City: _____

Country: _____

Email: _____

Date: _____

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.

Contact

Freiburg Head Office:

P.O. Box 17 71
D-79017 Freiburg
Phone +49 (0)761-4 52 95-0
Fax +49 (0)761-4 52 95 88

Darmstadt Office:

Rheinstrasse 95
D-64295 Darmstadt
Phone +49 (0)6151-81 91-0
Fax +49 (0)6151-81 91 33

Berlin Office:

Schicklerstraße 5-7
D-10179 Berlin
Phone +49(0)30-40 50 85-0
Fax +49(0)30-40 50 85-388

www.oeko.de

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

Contact

Prof. Dr. jur. Gerhard Roller
University of Applied Sciences
Berlinstrasse 109
D-55411 Bingen/Germany
Phone +49(0)6721-409-363
Fax +49(0)6721-409-110
roller@fh-bingen.de

www.fh-bingen.de

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

Contact

Darmstadt Office:

Prof. Dr. Martin Führ - sofia
University of Applied Sciences
Haardtring 100
D-64295 Darmstadt/Germany
Phone +49(0)6151-16-8734/35/31
Fax +49(0)6151-16-8925
fuehr@sofia-darmstadt.de

www.h-da.de

Göttingen Office:

Prof. Dr. Kilian Bizer - sofia
University of Göttingen
Platz der Göttinger Sieben 3
D-37073 Göttingen/Germany
Phone +49(0)551-39-4602
Fax +49(0)551-39-19558
bizer@sofia-darmstadt.de

www.sofia-research.com



sofia



NATUUR
& MILIEU



elni

In many countries lawyers are working on aspects of environmental law, often as part of environmental initiatives and organisations or as legislators. However, they generally have limited contact with other lawyers abroad, in spite of the fact that such contact and communication is vital for the successful and effective implementation of environmental law.

Therefore, a group of lawyers from various countries decided to initiate the Environmental Law Network International (elni) in 1990 to promote international communication and cooperation worldwide. elni is a registered non-profit association under German Law.

elni coordinates a number of different activities in order to facilitate the communication and connections of those interested in environmental law around the world.

Coordinating Bureau

Three organisations currently share the organisational work of the network: Öko-Institut, IESAR at the University of Applied Sciences in Bingen and sofia, the Society for Institutional Analysis, located at the University of Darmstadt. The person of contact is Prof. Dr. Roller at IESAR, Bingen.

elni Review

The elni Review is a bi-annual, English language law review. It publishes articles on environmental law, focusing on European and international environmental law as well as recent developments in the EU Member States. elni encourages its members to submit articles to the elni Review in order to support and further the exchange and sharing of experiences with other members.

The first issue of the elni Review was published in 2001. It replaced the elni Newsletter, which was released in 1995 for the first time.

The elni Review is published by Öko-Institut (the Institute for Applied Ecology), IESAR (the Institute for Environmental Studies and Applied Research, hosted by the University of Applied Sciences in Bingen) and sofia (the Society for Institutional Analysis, located at the University of Darmstadt).

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 gather together scientists, policy makers and young researchers, providing them with the opportunity to exchange views and information as well as to develop new perspectives.

The aim of the elni fora initiative is to bring together, on a convivial basis and in a seminar-sized group, environmental lawyers living or working in the Brussels area, who are interested in sharing and discussing views on specific topics related to environmental law and policies.

Publications series

elni publishes a series of books entitled "Publications of the Environmental Law Network International". Each volume contains papers by various authors on a particular theme in environmental law and in some cases is based on the proceedings of the annual conference.

elni Website: elni.org

The elni website www.elni.org contains news about the network. The members have the opportunity to submit information on interesting events and recent studies on environmental law issues. An index of articles provides an overview of the elni Review publications. Past issues are downloadable online free of charge.

elni Board of Directors

- Martin Führ - Society for Institutional Analysis (sofia), Darmstadt, Germany;
- Jerzy Jendroska - Centrum Prawa Ekologicznego (CPE), Wrocław, Poland;
- Isabelle Larmuseau - Vlaamse Vereniging voor Omgevingsrecht (VVOR), Ghent, Belgium;
- Marga Robesin - Stichting Natuur en Milieu, Utrecht, The Netherlands;
- Gerhard Roller - Institute for Environmental Studies and Applied Research (I.E.S.A.R.), Bingen, Germany.

elni, c/o Institute for Environmental Studies and Applied Research
FH Bingen, Berliner Straße 109, 55411 Bingen/Germany

www.elni.org