



## EU ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS

Workshop for judges and prosecutors  
Vienna, 19-21 February 2025



### Planned Speakers

**Anne Brosnan**, Secretary General of the European Network of Prosecutors for the Environment (ENPE); Deputy Director (Chief Prosecutor), Legal and Audit Services, Environment Agency, Bristol

**Aleksandra Bujaroska**, Environmental Expert, Energy Community Secretariat, Vienna

**Luisa Cortat**, Course Director, European Public Law, ERA, Trier, Germany

**Andrej Kmecl**, Judge at the Supreme Court of the Republic of Slovenia (TBC)

**Klaus Lernhart**, Judicial Training Advisor, ERA, Trier; former Presiding Judge, Higher Administrative Court, Mannheim

**Peter Vajda**, Senior Environmental Expert, Energy Community Secretariat, Vienna

**Vojtech Vomacka**, Legal Adviser (Supreme Administrative Court of the Czech Republic) and Assistant Professor (Masaryk University), Brno

### EC Representative

### Key topics

- Overview of the Environmental Impact Assessment (EIA) Directive
- Overview of the Strategic Environmental Assessment (SEA) Directive
- Assessment procedures
- Scope of judicial control under the SEA and EIA procedure
- Access to justice in the EIA and SEA Directives
- EIA/SEA Directives in the context of substantive EU environmental law
- CJEU case law
- Preliminary reference procedure
- Various case studies

### Language

English

### Event number

425DV10

### Organiser

ERA (Dr Luisa Cortat) on behalf of the European Commission



# EU ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS

## Wednesday, 19 February 2025

09:00 Arrival and registration of participants

09:15 **Opening of the seminar**  
*Luisa Cortat*

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### ENVIRONMENTAL ASSESSMENT IN EU ENVIRONMENTAL POLICY

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09:30 **Overview of the Environmental Impact Assessment (EIA) Directive**

- Activities subject to EIA
- Concept of "project"
- Multi-stage development consent procedures
- Screening procedure, case-by-case examination, criteria and justification
- CJEU case law (splitting projects, dual-purpose projects, cumulative impacts)

*EC Representative*

10:30 Quiz and Discussion

11:00 Coffee break

11:30 **Procedure of assessment**

- Scoping
- Assessment of alternatives
- Public consultation and publication of decisions
- Development consent decision/the reasoned conclusion
- Monitoring
- Environmental Authority/Competent Authority and opinions of public authorities
- CJEU case law

*Vojtech Vomacka*

12:15 Discussion

12:30 **Overview of the Strategic Environmental Assessment (SEA) Directive**

- Definition of plan and programme subject to SEA
- Screening procedure and criteria
- EC guidance on integrating climate change and biodiversity into the SEA
- CJEU case law

*EC Representative*

13:15 Discussion

13:30 Lunch

14:30 **Case study on the implementation of the SEA Directive**

- Introduction to the case study
- Working groups
- Plenary discussion of the results

*Andrej Kmecl*

16:00 Coffee break

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### ENFORCEMENT, JUDICIAL REVIEW, AND ACCESS TO JUSTICE UNDER EIA/SEA

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16:30 **Scope of judicial control under the SEA and EIA procedure**

- Quality control
- *Ex post* assessment of an EIA project
- Role and scope of judicial review
- CJEU case law

*Andrej Kmecl*

17:15 Discussion

17:30 End of first day

19:30 Dinner

## Thursday, 20 February 2025

09:30 **Introduction**

09:35 **Access to justice in the EIA and SEA Directives**

### Objective

This 2.5-day workshop is designed to provide a comprehensive exploration of environmental impact assessment requirements in the context of EU environmental legislation and policy. The workshop will focus on the Environmental Impact Assessment (EIA) Directive and the Strategic Environmental Assessment (SEA) Directive. Led by experts in the field, sessions will cover procedural intricacies, in-depth analysis of the legal framework and relevant case law. Both the EIA and SEA Directives will be presented as part of a broader EU substantive environmental law by explaining their relationship with other EU instruments. The workshop will also examine the preliminary reference procedure. Through discussion and practical case studies, it will ensure that participants leave with the necessary tools and insights to navigate the complexities of environmental assessment in practice.

### Who should attend?

Administrative and other judges and prosecutors from EU Member States interested in environmental law.

### Venue

Federal Administrative Court  
Museumstraße 7, 1070 Vienna

### Your contacts



Dr Luisa Cortat  
Course Director  
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Assistant  
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For programme updates:

**[www.era.int](http://www.era.int)**

Programme may be subject to amendment.

- Access to information, public participation and access to justice
  - Procedural steps
  - CJEU case law
- Vojtech Vomacka*

10:15 Discussion

10:30 Coffee break

11:00 **Case study on the implementation of the EIA Directive – focus on access to justice**

- Introduction to the case study
  - Working groups
  - Plenary discussion of the results
- Aleksandra Bujaroska*

12:30 Lunch

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### SYNERGIES BETWEEN EIA/SEA DIRECTIVES AND SUBSTANTIVE EU ENVIRONMENTAL LAW

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13:30 **Habitats Directive**

- Main objectives and key features, and related crimes
  - Focus on Article 6(3)
  - CJEU case law
- ENPE Representative*

14:15 Discussion

14:30 **Water Framework Directive**

- Main objectives, key features, and related crimes
  - Focus on Article 4(7)
  - CJEU case law
- ENPE Representative*

15:15 Discussion

15:30 Coffee break

16:00 **Industrial Emissions Directive**

- Main objectives and key features
  - Focus on impact assessment
  - CJEU case law
- Peter Vajda*

16:45 Discussion

17:00 End of second day

## Friday, 21 February 2025

09:00 **Introduction**

09:05 **Case study on two wind energy projects and “renewable acceleration area” (RED III) – role-playing exercise**

- Introduction to the case study
  - Working groups
  - Plenary discussion of the results
- Speaker*

11:30 Coffee break

11:00 **Preliminary reference procedure for interpretation and validity in the context of EU judicial protection in environmental cases**

- Article 267 TFEU
  - National courts and uniform interpretation of EU environmental law
  - Preliminary reference procedure
- Speaker*

11:45 Discussion

12:00 Evaluation of the workshop

12:30 End of the workshop

# Apply online for EU ENVIRONMENTAL IMPACT ASSESSEMENT REQUIREMENTS

Workshop for judges and prosecutors

Vienna, 19-21 February 2025 / Event Number: 425DV10



Financed by the "Cooperation with National Judges in the field of Environmental Law"  
programme of the European Union

## Terms and conditions of participation

### Selection

1. Participation is only open to judges and prosecutors from all EU Member States.
2. The number of places available is limited. Participation will be subject to a selection procedure. Selection will be dependent on:
  - i. the relevance of the seminars to the professional life of the applicant;
  - ii. geographical and linguistic balance among the participants will be sought;
  - iii. In case of exceeding applications, only one person per institution may be accepted.
3. Online applications can be made until **17 December 2024**
4. A response will be given to every applicant of this workshop shortly after this deadline. We advise you not to book any travel or hotel before you receive our confirmation.

### Registration Fee

5. There is no registration fee.

### Travel expenses

6. **The travel expenses will be reimbursed to a maximum of 400 euros** subject to the submission of the originals of travel receipts (like flight ticket, boarding pass, train ticket, taxi costs can only be reimbursed in exceptional cases and has to be justified in written, etc.). Participants are advised of the obligation to use the most cost-efficient mode of transport available.

### Accommodation

7. **Maximum 3 hotel nights** will be covered directly by ERA, only for the hotel booked by ERA.

### Other services

8. Lunches, beverages consumed during the event and the workshop documents are offered by ERA.

### Participation

9. Participation to the whole workshop is required and your presence will be monitored.
10. A list of participants including each participant's address will be made available to all participants unless the ERA receives written objection from the participant no later than one week prior to the beginning of the event.
11. The participant's address and other relevant information will be stored in ERA's database in order to provide information about future ERA events, publications and/or other developments in the participant's area of interest unless the participant indicates that he or she does not wish ERA to do so.
12. A certificate of attendance will be issued at the end of the workshop.

### Online application:

[www.era.int/?133356&en](http://www.era.int/?133356&en)

### Language

English

### Contact Person

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