

E.U. Forum of Judges for the Environment
And
ICEF – International Court of the Environment Foundation

With the support of the
European Commission

And the sponsorship of the
Italian Ministry of the Environment
Lazio Region

and
Union des Avocats Européens
City of Reggio Emilia
Bari Bar Association

Workshop on Environmental Law

PREVENTION AND REMEDYING OF ENVIRONMENTAL DAMAGE

Ostia Antica (Rome)

Posta del Cardinale, Via Gesualdo, 24

Friday 27 & Saturday 28 May, 2005

Friday, 27 May 2005

8:30 a.m.

Start of registration

9:00 a.m. – 9:30 a.m.

OPENING SESSION

Chair and introduction

Hon. Justice Giovanni Conso

Honorary President, ICEF, Rome, Italy

Former Chief Justice, Italian Constitutional Court

Welcoming address

Giovanni Bana

Union des Avocats Européens, Milan, Italy

Opening address

Hon. Justice Mario Schinaia

Vice President, Council of State, Rome, Italy

9:30 a.m. – 10:15 a.m.

I SESSION

Prevention and Remedying of Environmental Damage in the Directive 2004/35/EC

Chair and introduction

Charles Pirotte

Environmental Liability Desk Officer, Environment Directorate-General, European Commission, Brussels, Belgium

Overviews

Hon. Justice Luc Lavrysen

Court of Arbitration, Brussels, Belgium

Giovanni Cordini

University of Pavia, Italy

10:15 a.m. – 10:30 a.m. Coffee-break

10:30 a.m. – 1:00 p.m.

II SESSION

Round Table: *Prevention and Remedying of Environmental Damage and the Role of Judiciary: Country Experiences*

Chair and introduction

Hon. Justice Ulf Bjallas

Environmental Court of Appeal, Stockholm, Sweden; Vice-President of the E.U. Forum of Judges for the Environment

Open Debate with participating judges and experts: presentation and discussion of country cases and national experiences

AUSTRIA

Stefan Rosenmayr, Counsellor, Administrative Court, Wien

BELGIUM

Hon. Justice Luc Lavrysen, Court of Arbitration, Brussels

Steven Vandendorpe, Federal Public Service of Public Health, Food Chain Security and Environmental Damage, Brussels

CYPRUS

Hon. Justice LEMONIA Kaoutzani, District Court of Nicosia

CZECH REPUBLIC

Hon. Justice Jan Passer, Supreme Administrative Court, Brno

Pavla Kacabova, Ministry of the Environment, Prague

DENMARK

Peter Pagh, Copenhagen University

ESTONIA

Hon. Justice Indrek Koolmeister, Supreme Court, Tartu

FINLAND

Hon. Justice Jan Eklund, Administrative Court, Vaasa

FRANCE

Hon. Justice Dominique Guihal, Supreme Court of Cassation, Paris

GERMANY

Hon. Justice Gunter Halama, Federal Administrative Court, Leipzig

GREECE

Hon. Justice Constantinos Menoudakos, Council of State, Athens

HUNGARY

Hon. Justice Peter Dara'k, Supreme Court, Budapest

Andrea Elek, Ministry of Environment and Water, Budapest

IRELAND

Hon. Justice Thomas Smyth, High Court, Dublin.

1:00 p.m. – 2:15 p.m. Luncheon –break

2:15 p.m. – 6:00 p.m.

II SESSION continued

Chair and introduction

Hon. Justice Thijs Drupsteen

Council of State, The Hague, The Netherlands

Open Debate with participating judges and experts: presentation and discussion of country cases and national experiences

ITALY

Hon. Justice Amedeo Postiglione, Supreme Court of Cassation, Rome

Giuseppe Di Marco, Italian Agency for the Protection of the Environment (APAT), Rome

Antonio Guariniello, Lawyer, APAT

LATVIA

Hon. Justice Jautrite Briede, Supreme Court, Administrative Matters Dept., Riga

Zaneta Matijesku, Parliamentary Secretary, Ministry of Environment, Riga

LITHUANIA

Hon. Justice Stasys Staciokas, Constitutional Court, Vilnius

LUXEMBOURG

Hon. Justice Jean Mathias Goerens, Administrative Court, Luxemburg

MALTA

Hon. Justice Gino Camilleri, Constitutional Court of Justice, La Valletta.

4:00 p.m. - 4:15 p.m. Coffee-break

POLAND

Hon. Justice Jan Pavel Tarno, Supreme Administrative Court, Warsaw

PORTUGAL

Hon. Justice António da Costa Neves Ribeiro, Supreme Court of Justice, Lisbon

SLOVAKIA

Hon. Justice Miroslav Gavalec, District Court of Bratislava

SLOVENIA

Hon. Justice Dragica Wedam Lukic, Chief Justice, Constitutional Court, Ljubljana

SPAIN

Hon. Justice Raphael Fernandez Valverde, Supreme Court, Madrid

SWEDEN

Hon. Justice Ulf Bjallas, Environmental Court of Appeal, Stockholm

Jan Darpö, Uppsala University

THE NETHERLANDS

Hon. Justice Thijs Drupsteen, Council of State, The Hague

UNITED KINGDOM

Hon. Justice Gavin Lightman, Royal Courts of Justice, London.

* * *

Saturday, 28 May 2005

9:00 a.m. - 11:00 a.m.

II SESSION continued**Chair: Hon. Justice Amedeo Postiglione**

Supreme Court of Cassation, Rome, Italy; Director of ICEF, Rome, Italy; Vice-President of the E.U. Forum of Judges for the Environment

Open Debate with participating judges and experts: presentation and discussion of country cases and national experiences**BULGARIA**

Hon. Justice Nadejda Djelepova, Supreme Court, Sofia

NORWAY

Hon. Justice Ole Bjørn Stole, Chief Justice, Supreme Court, Oslo

ROMANIA

Hon. Justice Corina Michaela Jijiie, Supreme Court, Bucharest

ITALY

Giampaolo Schiesaro, State Advocate, Venice

Franco Giampietro, Lawyer, Rome

Pierluigi Onorato, Supreme Court of Cassation, Rome

Fabrizio Nocera, ENEA, Rome.

10:40 a.m. – 11:00 a.m.

Concluding Remarks of the Open Debate**Charles Pirotte**

Environmental Liability Desk Officer, Environment Directorate-General, European Commission, Brussels, Belgium

11:00 a.m. – 11:15 a.m. Coffee-break

11:15 a.m. – 1:00 p.m.

III SESSION

Round Table on: *A Project for the Prevention and Remedying of Environmental Damage in the International Law, Mainly in Relation to the Ecosystem Mediterranean Sea-Black Sea*

Chair and introduction**Hon. Justice Adel Omar Sherif**

Deputy Chief Judge, Supreme Constitutional Court of Egypt, Cairo, Egypt

President of the Arab Union of Judges for the Protection of the Environment

Introductory remarks

Deirdre Exell-Pirro

International Relations Officer, ICEF, Florence, Italy

Enzo Casolino

National Council of Research, Rome, Italy

Round Table interventions

Hon. Justice Paolo Maddalena

Constitutional Court, Rome, Italy

Nilufer Oral

Istanbul Bilgi University, Istanbul, Turkey

Pía Ximena Rodríguez

Program Legal Counsel

International Development Law Organization, Rome, Italy

Maddy Cancemi and Marianne Laudato

Office de l'Environnement de la Corse

Service du Parc Marin International des Bouches de Bonifacio

Roberto Somma

Alenia Spazio, Rome, Italy

Concluding Remarks

Hon. Justice Amedeo Postiglione

Supreme Court of Cassation, Rome, Italy

Director of ICEF, Rome, Italy

Vice-President of the E.U. Forum of Judges for the Environment

1:00 p.m. – 2:30 p.m. Luncheon break