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elni REVIEW

CONTENTS

Editorial

In 2002 the European Commission published the "Communication on Impact Assessment (276 final)" and supplemented it in 2005 with the "Impact Assessment Guidelines (SEC(2005) 791)". The latter defines the Regulatory Impact Assessment (RIA) as "a set of logical steps which structure the preparation of policy proposals" (p. 4). The aim of the RIA is paraphrased as "deepening the analysis and formalising the results in an autonomous report." In bold letters the Guidelines add: "Remember: Impact assessment is an aid to political decision-making, not a substitute for it." The aid offered by the RIA is nothing other than a more "rational" foundation[1] of policy proposals, newly apostrophised as "good governance". The underlying assumption therefore is that such an aid is helpful to achieve more rational results in the proposals presented by the Commission to the Council and the European Parliament.

Five years after the Communication, quite a number of Commission proposals[2] have gone through the "logical steps" required by the RIA. But rather than supporting the search for the best solution to a "regulatory choice problem", critical observers may receive the impression that the justification of political agreements that have already been made is the central function of the Impact Assessments undertaken by the Commission.

Beyond this background, two articles in this issue evaluate the results of the RIA approach: The question "A balanced appraisal? Impact Assessment of European Commission proposals" is raised by *Susan Owen* and "Theory and Practice" of the RIA are analyzed by *Ekkehard Hofmann*.

Two other articles deal with another form of Impact Assessment – the "classical" Environmental Impact Assessment (EIA). *Pavel Černý* and *Jerzy Jendrośka* examine the "Transposition and Implementation of EIA Directive in some EU Member States (with special emphasis on transport infrastructure cases)". A methodological approach for an ex-post "Evaluation of the German Act on Environmental Impact Assessment" is presented by *Nils Bedke, Jaqui Dopfer, Simone Kellert* and *Detlef Kober*.

In an article by *Florence Coroner*, an overview is given on the legislative process on a national level. Herein, she observes that in the transposition of the Environmental Liability Directive the "Member States [are] missing the opportunity to implement 'polluter pays' principle".

In the sixth article of this issue, *Uwe Lahl* addresses the REACH Regulation, one of the largest legislative projects on an EC level, which was published in the Official Journal of the EU right at the end of 2006. He presents an "Assessment of the political agreement" reached in the trilogue procedure.

In the final article in this issue, *Gerhard Roller* provides an analysis of the amended Comitology Decision which came into force in the summer of 2006. His message is clear: it "strengthens [the] position of European Parliament".

Last but not least, the "New Books" column presents two recently published anthologies: "Implementing the Precautionary Principle" (edited by *Nicolas de Sadeleer*) and the liber amicorum for *Eckard Rehbinder* (both founder members of elni).

The next issue of the *elni review* will focus on the implementation of the Aarhus Convention. Please send contributions on this topic as well as other interesting articles to the editors by the end of June 2007.

Martin Führ
March 2007

elni forum on Nanotechnology

in memoriam of Betty Gebers
took place at Thursday, 7 December 2006, 6 p.m.,
at the Joint Representation of the States of Hamburg and Schleswig-Holstein,

The lecture given by Stefanie Merenyi, Martin Führ and Andreas Hermann led to a lively discussion. The programme and a few photos of the event can be found on the elni website.

The charts and the complete study (on behalf of the German Environmental Protection Agency - Umweltbundesamt) can be downloaded from the elni-website (www.elni.org).
The study is based on the final version of REACH.

1 The topic "Rational Environmental Policy – Rational Environmental Law" was analyzed by a research group at the Bielefeld "Center for Interdisciplinary Research" in 1998/99, directed by *Gertrude Lübbe-Wolff*; see http://www.uni-bielefeld.de/ZIF/FG/1998Umweltrecht/.

2 See, for example, the study on behalf of the European Parliament: The Proposed Directive on Waste - An assessment of the Impact Assessment and the Implications of the Integration of the Hazardous Waste Directive into the existing Waste Framework Directive www.europarl.europa.eu/comparl/envi/pdf/externalexpertise/proposed_waste_directive_assessment_en.pdf.

REACH — Assessment of the political agreement

Uwe Lahl

1 Introduction

The purpose of the REACH Regulation[1] is to comprehensively restructure European chemicals law,

- with a standardised testing and registration procedure for old and new substances that will cover a total of some 30,000 substances,
- improved regulations on communication of substance information throughout supply chains,
- the possibility of subjecting substances that are particularly hazardous – for example, carcinogenic substances – to a certification procedure, and
- the establishment of a European Chemicals Agency, in Helsinki, that will be responsible for carrying out the new procedures.

The relevant Proposal for a Regulation and the Common Position of the Council have been discussed elsewhere, and thus here we simply refer to those documents.[2]

On 27 June 2006, the Council adopted its Common Position on the basis of the political agreement reached on 13 December 2005. Since September 2006, the European Parliament (EP) has been deliberating the proposed regulation, on the basis of the Council's approved text. This process is now at the 2nd reading stage. This 2nd reading was accompanied by "trilogue" negotiations, between the Parliament, Council Presidency and the Commission, with the aim of achieving a so-called "agreement in the 2nd reading", i.e. a resolution of the European Parliament that the Council could then accept without any changes. In difficult negotiations, this aim was finally achieved. The resulting agreement was then formally approved on 13 December 2006 by the European Parliament's plenary assembly and on 18 December 2006 by the Council. The new Regulation is to be promulgated in the Official Journal in December 2006, and the Regulation will enter into force on 1 June 2007.

2 An overview of the trilogue results

The following table presents the key results of the trilogue, broken down by the most important interest groups (note: the article and recital references in the table and throughout the present text are in keeping with the numeration used in the Common Position; in the final text, that numeration will change slightly, as a result of modifications made in the trilogue).

In sum, the results can be assessed as follows:

- The overall result is close to the Council's Common Position of 2005, which has been changed only with regard to details.
- The agreed changes are thus balanced in that they give equal consideration to environmental and consumer-protection concerns, on the one hand, and to issues of improving implementation for the affected industry, on the other.
- Among the points responding mainly to environmental and consumer concerns, those worthy of special mention include the introduction of a right of information, for consumers, with regard to the presence of substances of high concern in products, and expanded possibilities for taking account of suitable substitutes in the certification procedure, especially in connection with regular reviews of certifications.
- Among those points that respond primarily to industry concerns, the highlights include a more practicable design of provisions for financial compensation for use of existing data – a key point for companies – and better protection for company and business secrets.
- Among the other points, those worthy of special mention include the many detailed changes aimed at intensifying promotion of use of alternatives[3] to animal experiments; these changes have significantly enlarged this area of the regulation.

1 Proposal for a Regulation of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (Reach), establishing a European Chemicals Agency and amending Directive 1999/45/EC, COM/2003/0644 final. For the text of the pertinent Common Position adopted by the Council on 27 June 2006, cf. Council Document 7524/06 of 12 June 2006 and the critical review by *Singhofen*, elni-Review 2/2005, 17.

2 Lahl, 3rd Annual Conference Preparing for REACH, 28-30 March 2006, Agrar informa, http://www.bmu.de/files/pdfs/allgemein/ application/pdf/-third_conference_reach.pdf; Lahl, Gemeinsamer Stand¬punkt im EU-Ministerrat – REACH auf der Zielgeraden, StoffR 2006, 32-35; v. Holleben/Scheidmann, Vertraulichkeit von Informationen vs. Datentransparenz im REACH-Entwurf (Gemeinsamer Standpunkt des Rates vom 27. Juni 2006), StoffR 2006, 154-162.

3 Regarding REACH and animal experiments: Lahl, Strategien zur Minimie¬rung von Tierversuchen unter REACH, StoffR 2005, 251-255, http://www.bmu.delfiles/chemikalien/downloads/application/pdf/ reach_minimierung_tierversuche.pdf.

Overview table presenting the main features of the trilogue's compromise package on REACH

Points that respond ... … primarily to industrial concerns	**… primarily to environmental and consumer-protection concerns**	**Points that are neutral or that respond to specific EP interests**
Review of the scope of application in 5 years	Art. 33, Consumers' information rights regarding candidate substances for certification for use in products	Recital on duty of care
Recital 3 and Art. 1 (3), WTO compatibility	New recital on the area of substitution	Improvements in the area of animal welfare (in particular, promotion of alternative methods)
Art. 3, Three-year average of production quantity is the determining factor, rather than the single-year quantity	Art. 55, Clarification that applicants are required to carry out substitution analysis in the certification procedure	Adaptation to the new comitology resolution
Art. 9, Extension of R&D exception for companies' internal projects	Art. 60, Clarification regarding substantive issues of testing in the certification procedure (e.g., are risk-management measures adequate?)	Provision for strengthening the EP's influence on the agency, as well as for additional organisational issues in connection with the agency
Art. 23, Clarification that phase-in also applies to intermediate products	Art. 60 (3), Because adequate controls are already in place, no certification for substances that, via the opening clause of Art. 65 (f), are subject to the certification system and that have PBT/vBvP properties	COM declaration on tobacco additives
Art. 23, Registration >1000 tonnes only after 3.5 years, rather than 3 years	Re. Art. 60 (3), for substances with hormone-like properties, in 6 years review pursuant to Art. 137 to determine whether they should also fall under 59 (3)	
Art. 25, Extension of time for protection of studies	Review of PBT criteria	
Art. 27, Provision on cost-sharing	Clarification of what criteria are to be applied to determination of the review period	
Recital 54, Art. 28, Provision in the interest of downstream users, aimed at countering the risk of substance exclusions	Art. 62 (4) (f), Substitution plan when a substitution analysis shows there are alternatives	
Art. 60 (5), Definition of suitable alternatives: feasibility for the specific applicant in question is decisive	Art. 61 (3), Substitution plan is to be presented in the review, and taken into account if there are alternatives	
Art. 118, Possibilities for objection in connection with decisions on information access	Art. 64, Publication of summaries of certification decisions	
Art. 119, Improved possibilities for objections, IUPAC / trade name		
Annex VI, Reproduction-toxicity review of the GS in 12 years		
Annex IX, Guidance on grouping		

3 "Substitution", a central area of conflict

The issue of substitution was a central point of contention in the trilogue and, thus, in the overall agreement between the EP and the Council / Commission. With the support of a surprisingly large majority in the environmental committee of the EP,[1] EP representatives sought to add to the regulation strong incentives, especially in the framework of the certification procedure, for substitutions for substances of high concern, i.e. substitutions consisting of less critical substances. Environmental and consumer-protection groups, and unions, deemed the achieved overall compromise to be inadequate because it did much too little for the area of substitution.[2] This area thus deserves a closer look. The following section analyses it.

REACH will provide considerable incentives for substitution of hazardous substances and applications. And it will do this as a whole, because REACH will give all stakeholders considerably improved access to information. Information about effects and risks is the basis that makes it possible to substitute less-hazardous substances for hazardous ones. Potentially, the more hazardous a substance is, the greater the incentives for finding substitutes, since many detailed obligations, from data requirements to provision of information in supply chains and to obligations of downstream users, grow as substances become more hazardous.

Initially, those producers will make important contributions to substitution who, in collecting data, realize and accept that responsible action[3] requires them to discontinue use of certain substances.

Then, the registration procedure itself will promote substitution by prompting chemical producers to register only applications that have proven acceptable in light of risk analysis. In cases in which users in the supply chain develop different applications, it will be necessary to check whether such applications are acceptable. Where applications are unacceptable, a search for substitute substances will ensue. In the REACH controversy of the past few years, most of industry's concerns in the area of "excessive burdens for medium-sized companies" have revolved on just these sorts of substitution pressures.

Needless to say, the substitution pressures are greatest with regard to substances of high concern within the meaning of Art. 56 (carcinogenic, mutagenic and toxic for reproduction substances, and the so-called "PBT" and "vBvP" substances, which are of special concern because they are highly persistent and tend to accumulate in organisms). Such substances can be subjected to the certification procedure, and many other areas of the regulation impose special provisions for them. Companies thus have every reason to find less hazardous alternatives to these substances wherever possible. In general, it is expected that, of the some 30,000 chemicals that fall under REACH, about 1,500 substances will have pertinent characteristics within the meaning of Art. 57. On the other hand, since it is expected that, due to capacity limitations, only comparatively few substances per year (about 50) will actually be subjected to the certification procedure, in this area as well the decisive incentives for substitution will come not from concrete decisions on certification of substance uses, but from the entire system as a whole (with the certification procedure functioning as a "sword of Damocles"). In order to reinforce this effect, the Common Position, in Art. 58 (1), introduced the concept of a list of "candidate substances" for the certification procedure, substances that clearly fulfil the criteria of Art. 56 and are slated for later inclusion in the certification procedure.

In this light, it is clear that the issue of how the availability of potential substitutes should be treated in concrete certification decisions – an issue that was hotly debated in the trilogue – is of more conceptual than actual practical importance with regard to REACH's substitution incentives. The result that has been achieved must be judged accordingly.

Art. 61 (4) letter e of the Common Position mandates that all certification applications must include substitution analysis. In practice, this means that with his certification application, a producer or importer of a substance of high concern must include records of testing, for each planned use, showing whether a suitable, less hazardous substitute is available for the use. Pursuant to the Common Position, the importance of so-determined potential substitutions with regard to the rest of the procedure depends decisively on whether certification is being sought via the argument "the risk is adequately controlled" (claim to certification pursuant to Art. 59 (2) or via the argument "the benefits outweigh the risks" (possibility for certification pursuant to Art. 59 (4). In the case of certifications on the basis of benefits/risk considerations, the possibilities for substitution should apply – and, under the trilogue agree-

1 For a short summary of the voting in the environmental committee: http://www.europarl.europa.eu/news/expert/infopress_page/ 064-11481-282-10-41-911-200610091PR11474-09-10-2006-2006-false/default_en.htm.

2 Greenpeace, WWF, Eurocoop, FOE, EEB, WECF, HEA, REACH – a deal too far, 1.12.2006; http://www.greenpeace.eu/issues/news.html#061201_b; Europäischer Gewerkschaftsbund, REACH: a decisive step, but inadequate in pro¬tecting workers' health, 1.12.2006, http://www.etuc.org/a/3112.

3 Fiihr/Lahl, Self-responsibility as a regulatory concept - as illustrated by the REACh decision-making process., October 2005, http://www.bmu.de/files/chemikalien/downloads/application/pdf/reach_eigenverantwortung_engl.pdf.

ment, should continue to apply – i.e., as a rule certification must be denied. For cases involving certification on the basis of adequate control, however, the Common Position's sole criterion is the existence of such adequate control, so that possibilities for substitution should not be a major factor in the decision on substitution. The "adequate control" avenue for certification has been tightly restricted from the outset, however. Pursuant to the relevant provisions in Art. 59 (3) and Annex I, it is available only for carcinogenic, mutagenic and toxic for reproduction substances for which an impacts threshold can be determined. To date, it has generally not been possible to determine such thresholds for such substances!

Under the trilogue agreement, in cases in which the applicant's own required substitution analysis points to a suitable, less hazardous substitute, the applicant must also submit a substitution plan. In case of adequate control, such a plan still does not affect the "yes or no" of a certification decision (a claim to certification still applies), but it can influence the elements of the decision (for example, it can help determine what review intervals are mandated). At the same time – and this is the actual conceptual change – Art. 61 (3) mandates that the Commission, in reviewing certification decisions, may take up the question of substitution for all certifications – i.e. also for those issued on the basis of adequate control. There thus at least exists the possibility of ordaining substitution even in cases of adequate control. An important additional aspect of the agreement is the clarification in Article 60 (5) to the effect that the suitability of a possible substitution also depends on the technical and economic feasibility for the applicant in question. Art. 61 (3) also expressly cites the principle of proportionality.

The extent to which this change, which is certainly of conceptual importance, will be effective in practice remains to be seen. In mandating substitution, the competent authority assumes a great responsibility and must meet stringent requirements. Ultimately, it assumes full responsibility for the relevant applications, a responsibility that, in complex practical situations, the state can take on only with great difficulty. The expected difficulties become especially apparent when one considers the potential impacts of Art. 64 (2), which enables all persons to submit opinions in connection with certifications and reviews. For example, this possibility could enable market competitors to attack an applicant by claiming to know of a possible substitute (ideally, a competitor would do this by referring to a substance it has introduced to the market exclusively). Where such a substitute substance is actually non-critical or less critical, once might actually welcome such a tactic. But what about borderline cases, which would probably be the most common type of cases? Would it be possible and acceptable to make the competent authority a permanent arbiter of market competitors and their strategic and technical arguments? It does not require much imagination to predict that the option of mandating substitutions, an option that actually applies to all certifications, will ultimately be chosen only for just a few individual cases in which clearly more favourable substitutes are available.

In cases in which more favourable substitutes are available, the question then arises as to what would motivate an applicant, who identifies such a substitute in his own substitution analysis, to even apply for certification. In all likelihood, only one sort of motivation would arise, a motivation that is reasonable and justified, however: The applicant sees the need to discontinue use of the product, but he needs a few years' time to implement the available substitution option. The certification procedure, taking his substitution plan into account, then gives him the opportunity to establish an authority-approved safe basis for his transition. Consequently, the new provision ultimately is in keeping with interests of industry.

From the aforementioned considerations regarding the system-immanent effects of REACH's substitution incentives, and regarding the comparatively limited importance of provisions on authority-mandated substitution, it also follows that a completely different change made via the trilogue agreement will have greater impacts on substitution than will changes in the certification procedure: the consumer's right, as set forth in the new Art. 33 (2), to information from his supplier regarding whether a product contains more than 0.1 % by weight of substances found on the list of certification and certification-candidate substances pursuant to Art. 59 (1).

In the case of products for the consumer market, the negative publicity linked to the certification system will issue stronger substitution incentives than will certifications themselves. Substances included on the list of certification candidates, and substances that have received certification will be substances of high concern – from the standpoint of risk, these substances will head up the group of hazardous substances. Via certification by authorities, one can obtain the right – a right subject to regular review – to use such a substance, but any stakeholders would prefer that their products not contain such substances. In what is known as "clean production", efforts are already being made – efforts that will increase on both national and international levels – to produce and sell products that contain no substances of high concern.

The consumer has the right to information about the presence of substances of high concern in products of particular importance – the trilogue accepted this right, which was introduced by the EP, without much ado, in a restricted form. In light of the above, this right is of central importance. One does not have to be a prophet to predict that in the coming years this right will be the right most often claimed by consumers and their organisations in the chemicals sector. When a consumer, with reference Article 33, asks his supermarket for information about whether a purchased toy or electronic device contains any critical chemicals, this right will have direct and indirect consequences. The consumer's question will be passed on, and new awareness about the need for "clean production" will arise throughout the entire relevant supply chain. All in all, the dictates of consumer communications will foster a general motivation to find substitutes. After all, ultimately, all sellers – at least those in the consumer sector – want to be able to tell their customers that their products are "clean" and contain no substances of high concern.

4 Outlook

The trilogue agreement represents the successful conclusion to a reform process lasting more than eight years. It will bring great progress in the areas of environmental, consumer and worker protection, while giving companies throughout industry new innovation opportunities via improved knowledge about substances.

REACH will bring about an "explosion" of knowledge about substances properties. It will thus provide an effective basis for achieving the aim of "clean production". REACH's most important practical impact will thus be to drive use of substitutions; it will help to phase out substances of high concern and risky applications.

REACH has been adopted following a controversy lasting years. The next step is for it to be implemented. At the EC level, this will especially involve setting up the European Chemicals Agency in Helsinki, in the very near term, and making this agency functional. At the same time, the application guidelines, which are to be applied to numerous REACH-related individual questions, and which have been under preparation for some time in the framework of the "REACH Implementation Project" (RIP), will have to be finalised. Furthermore, in a number of areas, including that of lists of exceptions pursuant to Annexes IV and V, which is relevant to pre-registration obligations, the regulation text gives the Commission review tasks that will have to be carried out in the short term and that in some cases may have to be implemented via relevant amending regulations from the Commission.

At the national level, existing German chemicals law will have to be adapted to REACH. Large parts of existing laws, such as existing provisions on the procedure for registration of new substances, will have to be stricken. New provisions will have to be developed – e.g. provisions on the Federal Government's administrative responsibilities in the area of evaluation, on penalties and fines for violations of the REACH regulation and on the establishment of a national information agency ("help desk"). Legal adaptations will thus be needed both in the area of the Chemicals Act (Chemikaliengesetz) and in the ordinances and administrative provisions issued on the basis of that Act.

Ediorial remark:
Other aspects of REACH were discussed in the last issue of the elni-review (1+2/2006):

See also the articles in issue 2/2005:

Imprint

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Focus of the forthcoming issue:
Transposition of the Aarhus Convention

Manuscripts should be submitted as files by email to the Editors using an IBM-compatible word processing system.

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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 conversation
- 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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Institut für angewandte Ökologie
Institute for Applied Ecology

I·E·S·A·R
Institute for Environmental Studies and Applied Research
FH Bingen

sofia

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. Since then, elni has grown to a network of about 350 individuals and organisations from all over the world.

Since 2005 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

The Coordinating Bureau was originally set up at and financed by Öko-Institut in Darmstadt, Germany, a non-governmental, non-profit research institute.

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, focussing on European and international environmental law as well as recent developments in the EU Member States. It 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). The Coordinating Bureau is currently hosted by the University of Bingen. elni encourages its members to submit articles to the Review in order to support and further 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 gather together scientists, policy makers and young researches, 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

- 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 Industria Plants and the Influence of EC Directives, Gebers/Robensin (eds.), P. Lang, 1993.
- Civil Liability for Waste, v. Wilmowsky/Roller, P. Lang, 1992.
- Participation and Litigation Rights of Environmental Associations in Europe, Führ/ Roller (eds.), P. Lang, 1991.

Elni Website: elni.org

On the elni website www.elni.org one finds news of the network and an index of articles. It also indicates elni activities and informs about new publications. Internship possibilities are also published online.

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