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elni REVIEW

CONTENTS

Editorial

Access to justice in environmental matters has been in the focus of *elni* since the very beginning of the network. Two articles of the *elni Review* 2017/2 address interesting country case reports in this respect:

First off, *Alexandra Aragão* and *Ana Celeste Carvalho* explain the Portuguese system of *actio popularis*: according to the authors the most favourable of all with regard to *locus standi* in environmental matters. They argue that the dichotomy between public and private environmental damage underlying the construction of the right of access to justice is not an accurate representation of the real life social relations concerning the environment. This is where the concept of diffuse interests, adopted in Portuguese constitutional law comes in.

Eva Maschietto then casts some light on the Italian access to justice perspective that appears to be peculiar for its historical and political context. Her article aims at sketching some of the instruments that the Italian legal system has rendered available to individuals, environmental organisations and public agencies representing citizens and residents. These instruments address some of the most important aspects of environmental matters, disputes and barriers that are still present in the system, along with some potential solutions for the way forward.

Next, the current *Review* provides two contributions linked to the issue of chemicals in products.

Alice Bernard's piece seeks to answer, "how EU law needs adjustments for the transition to an environmentally beneficial circular economy". She argues that the current EU legal framework, notably the chemicals regulation REACH, needs adjustments to ensure that recovered materials do not contain hazardous chemicals in concentrations that are no longer considered safe. The article also shows, with a case study, gaps in EU law regarding information on hazardous chemicals in material cycles. According to the author, these gaps are barriers for economic actors willing to switch from primary to secondary production.

Finally, in the *Recent Developments* section, *Katja Kontturi, Hannamaria Yliruusi* and *Martyn Futter* report on how municipalities can control hazardous substances via public procurement. In this respect, they present results from interviews conducted with public procurement representatives of Gdańsk, Kaunas, Pärnu, Riga, Šilalė, Turku, Västerås, and Stockholm as part of the EU InterReg Baltic Sea Region -funded project "Innovative management solutions for minimizing emissions of hazardous substances from urban areas in the Baltic Sea Region" (NonHazCity).

elni will further dive into the issue of chemicals in products in a 2018 event. More information is soon to be provided on www.elni.org.

We hope you enjoy reading.

Julian Schenten/Gerhard Roller

December 2017

Access to justice in environmental matters in Italy – an incentive for new specialists

Eva Maschietto

1 Introduction: the Italian context

The access to justice in environmental matters in Europe, as crystallized in Article 9 of the Aarhus Convention (i.e. Convention on access to information, public participation in decision-making and access to justice in environmental matters taking place in Aarhus, Denmark on 25 June 1998) and covered in Italy by a number of different regulations, has been the object of extensive discussions in the recent past, with respect to the effectiveness and substantial compliance of the Italian legal system with its requirements, also in a comparative view.

The Italian perspective[1] is certainly peculiar for its historical and political context: albeit a general sense of compliance of the legal system with the pillars of access to justice, anyone wishing to enter into the details of the matter has to confront the theory with the immense criticalities of a local judicial system that hardly reflects and spreads the innate sense of real justice of any human being.

Without any purport of completeness[2], this article aims at sketching some of the instruments that the Italian legal system has rendered available to individuals, environmental organisations and public agencies representing citizens and residents. These instruments address some of the most important aspects of environmental matters, disputes and effective barriers which are still present in the system, along with some potential solutions for the way forward.

2 Highlights on the Italian legal framework

2.1 Access to information as a background for access to justice

In the last decades, one of the main objectives of the National Parliament has been to render the obsolete bureaucratic Italian legal system, more transparent and generally accessible to the public. In such a system public deeds have benefited from an aura of secrecy and immunity deriving from an octroyed idea of the administrative activity.

Under a regulatory framework, the Italian legal system includes regulations of different rankings which are aimed at ensuring that the general[3] background rights of access to information with respect to administrative proceedings and documents are properly preserved and guided to ensure the specific requirements of access to justice.

Quite curiously, access to environmental information was regulated by the Italian Parliament even before the right of access to administrative proceedings and decisions in the ambit of a procedural activity was regulated by a general law. In this respect, Italy may be considered a forerunner: Article 14 of the law establishing the Ministry of Environment in Italy (i.e. law no. 349 of 8 July 1986) provided that any citizen has the right to have access to available information on the environment and its conditions. In compliance with the existing law of the public agencies, one can also get copy of such information, free of charge and just reimbursing the relevant copy costs. In 1986 the status of environmental regulation in Italy was extremely primitive, including only some fragmentary laws on sea, general water discharge and little else. However, the same law no. 349 of 1986, as we will further elaborate upon in the following paragraphs, contained certain principles which were to be reflected in the third pillar of the Aarhus Convention. These principles included the granting of an explicit legal standing to territorial agencies and to environmental NGOs, to a certain extent more advanced than that awarded not less than twenty years after by the ECA

1 The leitmotif of Italy being far behind other countries in the implementation and enforcement of general international or European regulation is somehow disputable in environmental matters. There are significant cases where the Italian regulators have been pioneers in this matter. More recently, however, the balance is more negative, especially with respect to the effectiveness of the protection of primary rights in court.

2 The literature on access to justice in Environmental matters in Italy dates back to the early nineties and includes significant recent contributions. The most recent comprehensive view on the matter is provided by Nicola De Dominicis examined the status of the art in "*L'accesso alla giustizia in materia ambientale – Profili di diritto europeo*", Milan, 2016. Other contributions worth mentioning for the different perspectives examined include: G. Butti and L. Butti, *Il diritto di accesso alle informazioni ambientali disponibili presso la pubblica Amministrazione* in Rivista Giuridica dell'Ambiente, 1991, p. 462, T. Frosini, *Sul nuovo diritto all'informazione ambientale,* in Giurisprudenza Costituzionale, 1992, p. 4463; J. Harrison, *Legislazione ambientale Europea e libertà di informazione: la Convenzione di Aarhus,* in Rivista Giuridica dell'Ambiente, 2000, p. 28. More generally on access to justice in Italy see also: Varano, V. & De Luca, A. (2007), *Access to Justice in Italy*, in Global Jurist, 7(1).

3 Such rights have been regulated throughout the last 30 years to balance the Italian legal 'administrative system'. This contemplates in matters considered to be of public interest the subjection of the citizen to the authority of the agencies' decision, and is therefore subject to a special administrative jurisdiction. This is – generally – called to decide on cases where the subjective position of the private party is not that of a 'full right' but that of a 'legitimate interest', demeaned by the presence of a predominant public interest to be preserved in the collective advantage.

(Environmental Consolidated Act, Legislative Decree no. 152 of 3 April 2006).

In connection with the Aarhus Convention, access to environmental information was further regulated under Legislative Decree no. 195 of 2005[4] implementing Directive 2003/4/EC of the European Parliament and the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC, as a specific application of the general law on administrative proceedings and right of access (law no. 241 of 7 August 1990).

Along with the above primary ranking regulations, the right to access to environmental information was further reaffirmed in 2008 (by virtue of Legislative Decree no. 4 of 2008), this time at a super-primary level through the insertion of the relevant principle in the ECA: article 3 *sexies* of the ECA makes express reference to the Aarhus Convention[5] and constitutes in essence an implementation of its first pillar.

As a general principle of Italian environmental law contained in the ECA, the right to freely access environmental information is now considered a direct emanation of the constitutional rights and principles[6], to be read in compliance with international obligations.

The ECA environmental general principles are, then, elevated at a super-primary ranking. They can be waived, amended or repealed only as a consequence of an express citation of a subsequent primary law, and only to the extent that such variations ensure the overall compliance with the EU regulations, international obligations and competence of the territorial agencies.

This ennoblement serves not only as a direct application of the principles, protecting them from the risks of a proliferating regulatory database which, in some cases, has little regard for coordination and clarity. Rather, it also provides an aid to the interpreters specifically supporting the courts. These interpreters are called to assess the legitimate legal standing of the claimant in general environmental litigation, not only linked to access to information.

Therefore, also in Italy the access to justice tends to be ensured in the primary instance by the enforcement of the first pillar on access to information. Italian general law on administrative proceedings provides that in the case of a refusal to give access or the absence of reply from the public agencies within the time provided for by the law, recourse before an administrative agency (through an administrative proceeding called 'review procedure'[7]) or before the competent court (through a judicial special expeditious procedure[8]) is generally available.

Alternative special procedures are also available for denied access to information from the central administration (i.e. recourse before the Commission for the access to administrative documents pursuant to Presidential Decree no. 184, art.12 of 12 April 2006), in front of the local Ombudsman for acts issued by regions, provinces or municipalities.

In general, therefore, the catalogue of instruments available to the general public does not appear to be poor, at least at a theoretical level. It is certainly true, however, that in practice the route selected to enforce the right of access to information is predominantly that of recourse before the local administrative court (and in the second instance to the Council of State).

2.2 Right to review and participate in environmental proceedings and access to justice in challenging environmental decisions

With respect to the right of review and participation of the public in environmental proceedings (including those related to the formation of the regulations), the Italian legal system is based on the 'legitimate interest' position. A 'legitimate interest'[9] is a direct interest of an individual or a group of individuals in a public decision or in the outcome of a public proceeding. It is not guaranteed as a full right in Italy, since it has to be assessed, addressed and protected within the ambit of the 'general and public interest'.

5 As an application of law no. 241 of 7 August 1990, as subsequently amended, and of the Aarhus Convention, ratified by the Italian Republic with law 16 March 2001, no. 108, and pursuant to Legislative Decree no. 195 of 19 August 2005, anybody, without having the duty to demonstrate the existence of a juridically relevant interest, can have access to the information relating to the status of the environment and of the landscape in the national territory. In this respect see also, A Tanzi E. Fasoli, *La Convenzione di Aarhus e l'accesso alla giustizia in materia ambientale,* Padova 2011 and Francesco Francioni, *Accesso alla giustizia dell'individuo nel diritto internazionale e dell'Unione Europea*, Milan, 2008, page 399 onwards.

6 The applicable Constitutional principles governing the matter are expressly listed as referring to: article 2 (fundamental and inviolable rights of the persons), 3 (principle of equality of citizens), 9 (safeguard of the landscape), 32 (health as a fundamental right), 41 (freedom of private economic enterprise and limits), 42 (private and public property and its social function), 44 (use and management of soil), 117 paragraphs 1 and 3 (State and Regional competences).

7 In the review procedure, which is free of charge but does not include the independency prerogatives of a judicial instrument, the claimant could ask the agency normally at a higher hierarchy to review the request of access.

8 The judicial procedure is held before the Regional Administrative Court through a special expeditious procedure (halving the usual terms) to be started in 30 days from the refusal or silence. Terms to appeal before the Council of State are also halved. Moreover, such judicial procedure is – in accordance to the purports of the Directive 2003/4/EC implemented by Legislative Decree no. 195 of 2005 – exempt from the payment of the relevant duty.

9 The difference between the position of 'legitimate interest' as opposed to a position of 'subjective right' funded the Italian public and administrative law both under a substantial and under a judiciary perspective, the first position being somehow the result of the dimming of the full right in front of the authority of the agencies pursuing the general interest. This traditional division has led to the distinction between the administrative jurisdiction originally envisioned just to protect the legitimate interests and the ordinary jurisdiction naturally dedicated to the decision on the full subjective rights.

The Italian regime provides each member of the public (whether it be an individual, an association vested with legal personality, etc.) proving to have a direct interest in an administrative decision with the possibility to participate in the decision-making process. These parties seek to have their subjective positions be taken into account and finally regarded, considered or discarded in the decision (with a motivation in the latter case).

The position of the interested individual/entity is further protected with the full right to challenge the final result of the decision-making process (whether it be positive, negative or the silence itself) before a judicial body[10].

As such, the access to justice in challenging environmental decision where the subject has the right to take part, with a view to protecting legitimate interests, is granted in full before the administrative courts.

Access to justice in environmental matters (as well as in most administrative matters) is granted to those 'interested' individuals or entities on the basis of the allegation of a lesion of their legitimate interest. This can include a consequence of an act or an omission of the public agency constituting a violation of law (also in terms of the sharing of competence between other authorities or of overflow of powers in matters outside the scope of the administrative activity) and/or be on the basis of an abusive, irregular, illegitimate, inconsistent, illogical or unjust exercise of the discretionary power of the proceeding agency.

The object of the decision extends to the so called 'technical discretionary powers', which allows judgement on the technical aspects and nuances of the matter, which, of course, in environmental matters are significant. However this does not expand to the full merits of the decision and does not affect the political choices of the administration.

Legally speaking, the challenge of an environmental decision requires certainly a sophisticated defence to be put in place: the peculiarities of the administrative jurisdiction, including the strict regime of decadence (which imposes that an act or a decision of any public agencies is subject to recourse only for 60 days after its issuance is known to the interested party) require the assistance of lawyers having specific competence in administrative and possibly environmental regulations. Not many lawyers have such competence in Italy, also considering the vastness of the potential issues and the relatively limited number of professors in environmental law focussing on substantial and procedural matters. In addition, considering the high level of technicality of environmental matters, the claimant would most likely need to be assisted by an environmental consultant specialised in the matter at hand.

No doubt that these circumstances, along with the significant legal fees for access to courts in ordinary administrative recourses (which are not exempted in environmental matters but for those violating the right of access), constitute a barrier to access to justice for individuals not having the financial resources to support the cases on a singular basis.

It should also be noted that rarely has an administrative court condemned public agencies to significant reimbursement of legal expenses, even in the case of victory of the claiming party, it being almost unknown the reimbursement of technical expenses outside a claim for compensation for damages.

Available mitigants to the above unbalanced situation, are somehow weak and more bureaucratic. The general aid to indigent subject cannot be considered a real support in environmental matters, therefore the only practical solution is the aggregation of individuals in organisations coagulating similar interests, raising funds and consensus to bring the claim.

Public participation in environmental administrative proceedings is granted in all phases to the interested parties and, under the ECA, against decisions, acts or omissions violating the public participation right recourse to the general justice is available.

The limit of the concrete and direct interest does not apply to the environmental non-governmental organisations accredited with the Ministry of Environment under the meaning of article 13[11] of law no. 349 of 1986 recalled above. Among other prerogatives, these can have recourse to the administrative jurisdiction for the annulment of illegitimate acts of the public agencies, even without

10 Also in this case the subject at hand is normally granted with an administrative remedy. This remedy addresses the issue to an entity of the public administration – normally the agency in a position hierarchically superior to the one issuing the challenged deed or decision. As an alternative mean to the judicial route, this provides a final administrative decision by the President of the Italian Republic, assumed on the basis of an opinion of the Council of State of a case construed by the competent Ministry (Presidential Decree no. 1199/1971).

11 Under the scope of that article, ENGOs can be accredited with the Ministry after having fulfilled the following conditions: (i) they need to have been incorporated for a minimum period of three years; (ii) they need to prove to have operated in the field of environmental protection; (iii) they need to have a national importance or be present in at least five regions (this needs to be represented through the presence of specific nuclei and a significant distribution of the activity in the territory of the region); (iv) the predominant scope of the organisation needs to focus on the protection on the environment; (v) the by-laws of the organsation need to establish a democratic internal system in the life and decision-making processes of the organisation; (vi) there needs to be a continuity in the environmental action and its external relevance with respect to the three years before the request of credit to the Ministry.
Such indexes are deemed all necessary to consent the accreditation and are assessed cumulatively: therefore organisations lacking one of the requirements mentioned above are not eligible to be the defender of the environmental interest.

proving a legitimate interest. Such ENGOs[12] in the spirit of the law were to become the paladins of the diffused interests of members of the general public not bearing a specific interest but only as members of the community. However, as we will see, their universal role has been attacked and narrowed by the ECA in the specific (and most important) matter of environmental damage. However, such limitations have been waived by the Courts (especially the criminal Courts) granting – as a matter of fact – the right to taking part to the limitation in the ambit of a wider concept of environment.

2.3 The defence of general environmental interests in court – the case of damage to the environment

With respect to the right to defend general environmental interests in cases relating to damage to environment, the Italian situation is interesting and somehow eccentric; most criticism has been focused in the recent years, also in consideration of the number of important cases where diffused pollution, environmental disaster, contamination of aquifers and other environmental calamities have been assessed in the local territory[13].

The first official regulation granting the right to compensation for public environmental damage dates back to 1986.[14] It granted the right of action for the restoration of environmental damage exercised within criminal proceedings or trial to the State and to the territorial agencies (these being the region, the provinces and the municipalities) in whose ambits the damage was caused. Before then, the Court of Auditors (which is the special justice competent – *inter alia* – to decide on cases where damage to the State is alleged to be caused by public officers) had decided some cases[15] in relation to environmental damage, affirming that it constitutes damage to the State.

The NGOs operating at a national level or at least in five regions had a right to trigger the action from the State and the territorial agencies. These agencies denounced the alleged presence of environmental damage. The NGOs were thus entitled to intervene in the environmental processes and have recourse to the administrative justice to challenge the illegitimate acts of the public agencies (with a view to getting their annulment).

ECA, differently than in the previous regulation provided that the sole legal standing for claiming environmental damage under the Italian legal system is granted to the State. This rule is now contained in article 311 onwards of the ECA and has been confirmed recently also by the Constitutional Court in its decision no. 126 of 1 June 2016. This affirmed that the exclusive competence of the State in regulating environmental matters was established by the Constitution in article 117. The State itself is thereby entrusted, through the Ministry of Environment, as the sole entity vested with the *legitimatio ad causam* needed to claim compensation for environmental damage.

Interestingly, the Court has underlined that the perspective on environmental damage in Italian legislation has changed in connection with the evolution of the European Directives on its remediation: the compensation for damages in the case of environmental damage is now considered residual with respect to the reinstatement and remedy of the damage *in rem*. Therefore, the payment of monetary amounts is accessory to the interventions that directly ensure the restoration of the lesion to the environment.

Thus, the primary route for environmental damage compensation has become the administrative proceedings on remediation, clean-up and reinstatement of the environment and habitat, leaving any monetary payment as a possible (and not wished) last-resort compensatory remedy.

The further competence of the territorial entities, regions and lower level agencies, is only granted for damages specifically occurred to their territories (other than those suffered by the State).

In this perspective, it becomes logical that environmental damage itself is only claimable by the State, and can only be pushed by the environmental NGOs which do not have an autonomous legal standing.

However, as the Court of Cassation has established in a number of decisions, the fact or event causing environmental damage may cause other damages to primary rights such as the health and safety of the people or to the property. These damages can be claimed by individuals and NGOs, even those not recognised at a national level.

12 On the general role of ENGOs see J. Ebbesson, Access to Justice in Environmental matters in the EU (*Access à la Justice en Matiere D'Environment Dans l'UE*), Kluwer Law International, 2002 p.313.

13 In Italy, issues relating to environmental damage have seen a steep increase in relation to those specifically regulated sites such as the Sites of National Interest (so called 'SINs') or Sites of Regional Interest where the existence of a compromised environmental situation has been acknowledged for many years. Such sites have typically faced long and complex proceedings involving major industrial and energy-related companies. They have been discussing with the Ministry of Environment complicated measures in terms of remediation, safety and protection and of environmental damage in all the matrixes, including the sea. The local experience has led also to important and interesting public settlement agreements in relation to environmental damage. These cases deserve a full scope examination in connection with the number of issues faced and sorted out and in relation to the implications also at a dogmatical level.

14 Reference is made to the same law establishing the Ministry of Environment, i.e. law 349 of 1986, which contained in its article 18 the first discipline on environmental damage, imposing the obligation to restore damage caused with fraud or willful misconduct in favour of the State.

15 The two most notable cases related (i) to the National Reserve Park of Abruzzo and dates back to 1973 and (ii) to the damage to the sea in connection with the red sludge issue in 1979.

While access to justice regarding environmental damage may therefore look to be somehow restricted in theory, in practice Italian Courts[16], especially in criminal cases where diffuse or peculiar interests are claimed by subjects alleging to be civilly damaged parties, generally acknowledge the *legitimatio ad causam* of a wide number of subjects, entities and individuals.

To this end, the general discipline of tort-based damage laid down in the civil code grounds the legitimacy of claims by these collective subjects to the compensation of damages, not in relation to the harm to the environment as a public interest, but to the damage directly suffered apart from general, public damage to the environment as a fundamental right of constitutional importance.

Article 309 of the ECA establishes further the right for the local territorial agencies and for any individual or entity to submit to the Ministry of Environment claims and denouncements with respect to any case of environmental damage, actual or threatened. These parties have either been or can be hurt by an environmental damage, or are vested with an interest that legitimates their participation to the proceedings relating to the adoption of precautionary, prevention or remediation measures.

If the Ministry of Environment is inactive, article 310 of the ECA grants a right of action to the above-mentioned subjects.

Admissible claims from the NGOs extend to damages deriving for the costs of raising public awareness on the environmental damage, the discredit deriving from the failure to pursue the objectives of environmental protection or to other general damages to collective interests safeguarded by the by-laws of the claimant NGO.

The public access to judicial remedies is in principle granted by the Italian legal system also with respect to environmental damage claims and connected matters.

However, the same inconveniences, including the high cost of legal assistance and exasperating length of judicial proceedings in all civil, administrative and criminal matters in general also apply in Italy to protecting environmental rights and interests.

3 Conclusions

In general, therefore, while the Italian legal system has proved to have incorporated certain theoretically appropriate measures for granting a public and vast access to judicial remedies to protect environmental interests, the faults and flaws of the Italian judicial system render such measures weak, if not vain.

The congestion of courts at all levels is widely known as the main problem of Italian justice in general and this situation does not spare environmental matters: in this respect, as above recalled, the peculiarity of the matter requires qualified legal and technical assistance.

This is often expensive and not always available on a *pro bono* basis[17], except in cases where the publicity of the matters may be a congruous reward for the effort (such matters normally represent the most disastrous situations and unwished events).

The general context therefore presents some negatives which impact on the legal system not only with reference to environmental matters: however, in a positive prospect, the outlined flows and lack of competence should lead law students within the European Union to concentrate their study on environmental matters, knowing that at least the Italian legal market is certainly seeking wider competence and strong ideals. From an Italian standpoint, the influence of European experts and wider-minded professionals of environmental law is certainly desirable and needed to enhance the European more advanced instruments to consent a wider implementation of the three pillars of the Aarhus Convention, as above recalled.

16 For the role of the Courts: see also the contribution of Jan Darpo, in J. Ebbesson, P Okowa Environmental Law and Justice in Context, Cambridge University press, 2009, p. 194 and HG Bugge, *The polluter pays principle: Dilemmas in national justice in national and international context*, p. 411-428.

17 Legal aid can be obtained also in non-criminal matters (Presidential Decree no. 115 of 2002 establishes the relevant criteria): but the proceedings are complex and the threshold to be admitted is very low.

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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

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- German Federal Environmental Agency (UBA)
- German Federal Agency for Na-ture 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 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, focussing 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 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

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.

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