

National Judges and the EU Water Legislation – Focus on Access to Justice

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I. General information

- List of speakers
- List of participants

Speakers' contributions (CVs and Presentations/Texts)

Serena Caucci
<ul style="list-style-type: none">• CV• Water pollution: a political, scientific, and technical introduction
Nathalie Hervé-Fournereau
<ul style="list-style-type: none">• CV• Water Framework Directive (WFD)• Case study on the main provisions of the Water Framework Directive

Matthias Keller	
	<ul style="list-style-type: none"> • CV • Case study on a water pollution case – Focus on inspections and enforcement • What is the role for a national judge in water pollution litigation? – Preliminary reference • Roundtable discussion on national experiences and practices relating to challenges in implementing EU water legislation
Klaus Lernhart	
	<ul style="list-style-type: none"> • CV •
Laura von Vittorelli	
	<ul style="list-style-type: none"> • CV • Nitrates Directive • Case study on access to justice for citizens and NGOs in a nitrate water pollution case
Vojtěch Vomáček	
	<ul style="list-style-type: none"> • CV • Access to justice within the EU in cases relating to water protection

II. Background Documentation

A. General overview of European Environmental law

	I. EU Documents	
1	Consolidated versions of the <u>Treaty on European Union</u> and the <u>Treaty on the Functioning of the European Union</u> (OJ C 202, 07.06.2016)	ONLINE
2	<u>COM(2019)640 final, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, The European Green Deal, 11 December 2019</u>	ONLINE
3	<u>COM(2017) 198 final, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, An Action Plan for nature, people and the economy, 27 April 2017</u>	ONLINE
4	<u>COM(2017) 63 final, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, "The EU Environmental Implementation Review: Common challenges and how to combine efforts to deliver better results", 3 February 2017</u>	ONLINE
5	<u>Annex "Guidance to Member States: Suggested Actions on Better Environment", 3 February 2017</u>	ONLINE
6	<u>COM(2016) 739 final, Commission Communication, Next steps for a sustainable European future; European action for sustainability, 22 November 2016</u>	ONLINE
7	<u>COM(2016) 316 final, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, "Delivering the benefits of EU environmental policies through a regular Environmental Implementation Review", 27 May 2015</u>	ONLINE
8	<u>DECISION No 1386/2013/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 20 November 2013 on a General Union Environment Action Programme to 2020 'Living well, within the limits of our planet'</u>	ONLINE
9	<u>COM(2012) 95 final, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the</u>	ONLINE

	<u>Committee of the Regions - Improving the delivery of benefits from EU environment measures: building confidence through better knowledge and responsiveness, 7 March 2012</u>	
10	<u>COM(2011) 244 final , Communication from the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions, "Our life insurance, our natural capital: an EU biodiversity strategy to 2020", 3 May 2011</u>	ONLINE
11	<u>COM (2000) 1 final, Communication from the Commission on the Precautionary Principle, 2 February 2000</u>	ONLINE
12	<u>Council Directive 91/692/EEC of 23 December 1991 standardizing and rationalizing reports on the implementation of certain Directives relating to the environment</u>	ONLINE
	II. International Documents	
13	<u>Cartagena Protocol on Biosafety to the Convention on Biological Diversity, 2000</u>	ONLINE
14	<u>Rio Declaration on Environment and Development 1992</u>	ONLINE
15	<u>Convention on conservation of migratory species of wild animals (Bonn Convention)</u>	ONLINE
16	<u>Convention on the Conservation of European Wildlife and Natural Habitats, 1979</u>	ONLINE
17	<u>Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), Washington, 1973 (with amendments)</u>	ONLINE
18	<u>Convention on wetlands of international importance especially as waterfowl habitat 1971 (Ramsar Convention)</u>	ONLINE
19	<u>UN Convention on Biological Diversity</u>	ONLINE
	III. EU Case law	
	1. General principles of European environmental law	
20	<u>C-238/20 Judgment of the Court (Third Chamber) of 27 January 2022, 'Sātiņi-S' SIA</u>	ONLINE

21	<u>C-752/18, Judgment of the Court (Grand Chamber) of 19 December 2019 Deutsche Umwelthilfe eV v Freistaat Bayern</u>	ONLINE
22	<u>Joined Cases C-78/16 and C-79/16 JUDGMENT OF THE COURT (First Chamber) 9 June 2016, Giovanni Pesce and Others (C-78/16), Cesare Serinelli and Others (C-79/16) v Presidenza del Consiglio dei Ministri (C-79/16)</u>	ONLINE
23	<u>T-433/13 JUDGMENT OF THE GENERAL COURT (Seventh Chamber) 5 May 2015, Petropars Iran Co and others v Council of the European Union</u>	ONLINE
24	<u>T-584/13 JUDGMENT OF THE GENERAL COURT (First Chamber, Extended Composition) 17 May 2018, BASF Agro BV v. European Commission</u>	ONLINE
25	<u>T-429/13 and T-451/13 JUDGMENT OF THE GENERAL COURT (First Chamber, Extended Composition) 17 May 2018, Bayer CropScience AG and Syngenta Crop Protection AG v European Commission</u>	ONLINE
26	<u>C-269/13 Judgment of the Court (Sixth Chamber) 10 April 2014 P, Acino AG</u>	ONLINE
27	<u>C-521/12 Judgment of the Court (Second Chamber) of 15 May 2014 T. C. Briels and Others v Minister van Infrastructuur en Milieu</u>	ONLINE
28	<u>T-333/10 JUDGMENT OF THE GENERAL COURT (First Chamber) 16 September 2013, Animal Trading Company (ATC) BV and others v European Commission</u>	ONLINE
29	<u>T-257/07 JUDGMENT OF THE GENERAL COURT (Third Chamber, Extended Composition) 9 September 2011, French Republic v European Commission</u>	ONLINE
30	<u>C-343/09 Judgment of the Court (Fourth Chamber) of 8 July 2010, Afton Chemical Limited v Secretary of State for Transport</u>	ONLINE
31	<u>C-77/09 Judgment of the Court (Second Chamber) of 22 December 2010 Gowan Comércio Internacional e Serviços Lda v Ministero della Salute</u>	ONLINE
32	<u>T-37/04 Judgment of the Court of First Instance (Third Chamber) of 1 July 2008, Região autónoma dos Açores v Council of the European Union</u>	ONLINE
33	<u>T-13/99 Judgment of the Court of First Instance (Third Chamber) of 11 September 2002, Pfizer Animal Health SA v Council of the European Union</u>	ONLINE
34	<u>C-180/96 Judgment of the Court of 5 May 1998, United Kingdom of Great Britain and Northern Ireland v Commission of the European Communities</u>	ONLINE
35	<u>C-341/95 Judgment of the Court of 14 July 1998, Gianni Bettati v Safety Hi-Tech Srl.</u>	ONLINE

36	<u>C-233/94 Judgment of the Court of 13 May 1997, Federal Republic of Germany v European Parliament and Council of the European Union</u>	ONLINE
	2. Origins and sources of European Environmental Law	
37	<u>C-439/05 P Judgment of the Court (Third Chamber) of 13 September 2007, Land Oberösterreich and Republic of Austria v Commission of the European Communities</u>	ONLINE
38	<u>C-176/03, Judgment of the Court (Grand Chamber) of 13 September 2005, Commission of the European Communities v Council of the European Union</u>	ONLINE
39	<u>C-6/03 Judgment of the Court (First Chamber) of 14 April 2005, Deponiezweckverband Eiterköpfe v Land Rheinland-Pfalz</u>	ONLINE
40	<u>C-270/03 Judgment of the Court (Third Chamber) of 9 June 2005, Commission of the European Communities v Italian Republic</u>	ONLINE
41	<u>C-337/89 Judgment of the Court of 25 November 1992, Commission of the European Communities v United Kingdom</u>	ONLINE
42	<u>C-240/83 Judgment of the Court of 7 February 1985, Procureur de la République v Association de défense des brûleurs d'huiles usagées (ADBHU)</u>	ONLINE
43	<u>C-92/79 Judgment of the Court of 18 March 1980, Commission of the European Communities v Italian Republic</u>	ONLINE
	3. The relationship between European and National Environmental Law	
44	<u>C-463/20 Judgment of the Court (Third Chamber) of 24 February 2022, Namur-Est Environnement ASBL v Région wallonne</u>	ONLINE
45	<u>C-300/20 Judgment of the Court (Grand Chamber) of 22 February 2022, Bund Naturschutz in Bayern eV v Landkreis Rosenheim</u>	ONLINE
46	<u>C-92/19 Judgment of the Court (Seventh Chamber) of 17 September 2020, Burgo Group SpA v Gestore dei Servizi Energetici SpA - GSE</u>	ONLINE
47	<u>C-24/19 Judgment of the Court (Grand Chamber) of 25 June 2020, A and Others v Gewestelijke stedenbouwkundige ambtenaar van het departement Ruimte Vlaanderen, afdeling Oost-Vlaanderen</u>	ONLINE
48	<u>C-434/18 Judgment of the Court (Ninth Chamber) of 11 July 2019, European Commission v Italian Republic</u>	ONLINE

49	<u>C-240/09 JUDGMENT OF THE COURT (Grand Chamber) 8 March 2011, Lesoochranárske zoskupenie VLK v Ministerstvo životného prostredia Slovenskej republiky</u>	ONLINE
50	<u>C-178/03 Judgment of the Court (Second Chamber) of 10 January 2006, Commission of the European Communities v European Parliament and Council of the European Union</u>	ONLINE
51	<u>C-338/01 Judgment of the Court (Sixth Chamber) of 29 April 2004, Commission of the European Communities v Council of the European Union</u>	ONLINE
52	<u>C-42/97 Judgment of the Court of 23 February 1999, European Parliament v Council of the European Union</u>	ONLINE
	4. The European Commission as “Guardian of the treaties”: Infringement procedures and cases	
53	<u>C-661/20 Judgment of the Court (Sixth Chamber) of 22 June 2022, European Commission v Slovak Republic</u>	ONLINE
54	<u>C-286/21 Judgment of the Court (Tenth Chamber) of 28 April 2022, European Commission v French Republic</u>	ONLINE
55	<u>C-687/20 Judgment of the Court (Eight Chamber) of 31 March 2022, European Commission v Portuguese Republic</u>	ONLINE
56	<u>C-683/20 Judgment of the Court (Eighth Chamber) of 13 January 2022, European Commission v Slovak Republic</u>	ONLINE
57	<u>C-668/19 Judgment of the Court (Sixth Chamber) of 6 October 2021, European Commission v Italian Republic</u>	ONLINE
58	<u>C-559/19 Judgment of the Court (First Chamber) of 24 June 2021, European Commission v Kingdom of Spain</u>	ONLINE
59	<u>C-503/06 Judgment of the Court (Sixth Chamber) of 15 May 2008, Commission of the European Communities v Italian Republic.</u>	ONLINE
60	<u>C-98/04 Judgment of the Court (Second Chamber) of 4 May 2006, Commission of the European Communities v United Kingdom of Great Britain and Northern Ireland</u>	ONLINE
61	<u>C-304/02 Judgment of the Court (Grand Chamber) of 12 July 2005, Commission of the European Communities v French Republic.</u>	ONLINE

62	<u>C-435/99 Judgment of the Court (First Chamber) of 12 December 2000, Commission of the European Communities v Portuguese Republic.</u>	ONLINE
63	<u>C-387/97 Judgment of the Court of 4 July 2000, Commission of the European Communities v Hellenic Republic</u>	ONLINE
64	<u>C-392/96 Judgment of the Court (Fifth Chamber) of 21 September 1999, Commission of the European Communities v Ireland</u>	ONLINE
65	<u>C-186/98 Judgment of the Court (First Chamber) of 8 July 1999, Criminal proceedings against Maria Amélia Nunes and Evangelina de Matos</u>	ONLINE
66	<u>C-422/92 Judgment of the Court of 10 May 1995, Commission of the European Communities v Federal Republic of Germany</u>	ONLINE
67	<u>C-52/90 Judgment of the Court of 31 March 1992, Commission of the European Communities v Kingdom of Denmark</u>	ONLINE
68	<u>C-59/89 Judgment of the Court of 30 May 1991, Commission of the European Communities v Federal Republic of Germany</u>	ONLINE
69	<u>C-162/89 Judgment of the Court of 13 June 1990, Commission of the European Communities v Kingdom of Belgium</u>	ONLINE
70	<u>C-96/81 Judgment of the Court of 25 May 1982, Commission of the European Communities v Kingdom of the Netherlands</u>	ONLINE

B. Setting the Scene

	1. EU Law	
1.	<u>Directive (EU) 2020/2184 of the European Parliament and of the Council of 16 December 2020 on the quality of water intended for human consumption</u>	ONLINE
2.	<u>Consolidated text of 7 June 2017: Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for Community action in the field of marine environmental policy (Marine Strategy Framework Directive)</u>	ONLINE

3.	<u>Consolidated text of 20 November 2014: Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (Water Framework Directive)</u>	ONLINE
4.	<u>Consolidated text of 11 July 2014: Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration (Groundwater Directive)</u>	ONLINE
5.	<u>Consolidated text of 1 January 2014: Council Directive of 21 May 1991 concerning urban waste water treatment (91/271/EEC) (Urban Wastewater Treatment Directive)</u>	ONLINE
6.	<u>Consolidated text of 1 January 2014: Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC (Bathing Water Directive)</u>	ONLINE
7.	<u>Consolidated text of 24 August 2013: Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (Environmental Quality Standards Directive)</u>	ONLINE
8.	<u>Commission Directive 2009/90/EC of 31 July 2009 laying down, pursuant to Directive 2000/60/EC of the European Parliament and of the Council, technical specifications for chemical analysis and monitoring of water status, 31 July 2009</u>	ONLINE
9.	<u>Consolidated text 21 November 2008: Council Directive of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources (91/676/EEC) (Nitrates Directive)</u>	ONLINE
10	<u>Directive 2007/60/EC of the European Parliament and of the Council of 23 October 2007 on the assessment and management of flood risks (Floods Directive)</u>	ONLINE
11	2. EU Documents	

12	<u>C(2022) 5489 Commission Notice Guidelines to support the application of Regulation 2020/741 on minimum requirements for water reuse 2022/C 298/01 of 5 August 2022</u>	ONLINE
13	<u>EEA Report No. 9/2021 "Drivers of and pressure arising from selected key water management challenges - A European Overview", 23 September 2021</u>	ONLINE
14	<u>C(2020) 5205 Commission Implementing Decision (EU) 2020/1161 of 4 August 2020 establishing a watch list of substances for Union-wide monitoring in the field of water policy pursuant to Directive 2008/105/EC of the European Parliament and of the Council</u>	ONLINE
15	<u>C(2018) 696 Commission Decision (EU) 2018/229 of 12 February 2018 establishing, pursuant to Directive 2000/60/EC of the European Parliament and of the Council, the values of the Member State monitoring system classifications as a result of the intercalibration exercise and repealing Commission Decision 2013/480/EU</u>	ONLINE
16	<u>COM(2017) 753 final Proposal for a Directive of the European Parliament and of the Council on the quality of water intended for human consumption (recast), 1 February 2018</u>	ONLINE
17	<u>Commission Decision (EU) 2017/848 of 17 May 2017 laying down criteria and methodological standards on good environmental status of marine waters and specifications and standardised methods for monitoring and assessment, and repealing Decision 2010/477/EU</u>	ONLINE
18	<u>EU-level instruments on water reuse, Final report to support the Commission's Impact Assessment October 2016</u>	ONLINE
19	<u>COM(2015) 120 final, Communication from the Commission to the European Parliament and the Council The Water Framework Directive and the Floods Directive: Actions towards the 'good status' of EU water and to reduce flood risks, 9 March 2015</u>	ONLINE
20	<u>SWD(2012) 381 final/2 Commission Staff Working Document - Executive Summary of the Impact Assessment Accompanying the Document Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions A Blueprint to Safeguard Europe's Water Resources COM(2012) 673 final and SWD(2012) 382 final, 13 December 2012</u>	ONLINE

21	<u>COM(2012) 673 final Communication from the Commission to the European Parliament, the Council and the European Economic and Social Committee and the Committee of the regions - A Blueprint to Safeguard Europe's Water Resources, 14 November 2012</u>	ONLINE
22	<u>Commission Directive 2009/90/EC of 31 July 2009 laying down, pursuant to Directive 2000/60/EC of the European Parliament and of the Council, technical specifications for chemical analysis and monitoring of water status</u>	ONLINE
23	<u>Decision No 2455/2001/EC of the European Parliament and of the Council of 20 November 2001 establishing the list of priority substances in the field of water policy and amending Directive 2000/60/EC</u>	ONLINE
	2. EU Case Law	
24	<u>C-668/19 Judgment of the Court (Sixth Chamber) of 6 October 2021, European Commission v Italian Republic</u>	ONLINE
25	<u>C-22/20 Judgment of the Court (Fourth Chamber) of 2 September 2021, European Commission v Kingdom of Sweden</u>	ONLINE
26	<u>C-559/19 Judgment of the Court (First Chamber) of 24 June 2021, European Commission v Kingdom of Spain</u>	ONLINE
27	<u>C-629/19 Judgment of the Court (Second Chamber) of 14 October 2020, Sappi Austria Produktions-GmbH & Co KG and Wasserverband "Region Gratkorn-Gratwein" v Landeshauptmann von Steiermark</u>	ONLINE
28	<u>C-298/19 Judgment of the Court (Ninth Chamber) of 27 February 2020, European Commission v Hellenic Republic (French Version)</u>	ONLINE
29	<u>Case C-384/19, Judgment of the Court (Seventh Chamber) of 2 April 2020 European Commission v Kingdom of Spain</u>	ONLINE
30	<u>Joined Cases C-105 to 113/18, Judgment of the Court (Fifth Chamber) of 7 November 2019, Asociación Española de la Industria Eléctrica (UNESA) and Others v Administración General del Estado</u>	ONLINE
31	<u>C-427/17 Judgment of the Court (Tenth Chamber) of 28 March 2019, European Commission v Ireland</u>	ONLINE

32	<u>Case C-328/16, Judgment of the Court (Third Chamber) of 22 February 2018, European Commission v Hellenic Republic</u>	ONLINE
33	<u>Case C-320/15, Judgment of the Court (Tenth Chamber) of 14 September 2017, European Commission v Hellenic Republic</u>	ONLINE
34	<u>C-502/15 Judgment of the Court (Ninth Chamber) of 4 May 2017, European Commission v United Kingdom of Great Britain and Northern Ireland</u>	ONLINE
35	<u>C-4/16 Judgment of the Court (Second Chamber) of 2 March 2017, J. D. v Prezes Urzędu Regulacji Energetyki</u>	ONLINE
36	<u>C-686/15 Judgment of the Court (Sixth Chamber) of 7 December 2016, Vodoopskrba i odvodnja d.o.o. v Željka Klafurić</u>	ONLINE

C. Water Framework Directive under Scrutiny

1.	<u>COM(2021) 970 final, Report from the Commission to the Council and the European Parliament on the implementation of the Water Framework Directive (2000/60/EC), the Environmental Quality Standards Directive (2008/105/EC amended by Directive 2013/39/EU) and the Floods Directive (2007/60/EC) - Implementation of planned Programmes of Measures, New Priority Substances, Preliminary Flood Risk Assessments and Areas of Potential Significant Flood Risk, 15 December 2021 (6th Water Framework Directive and Floods Directive Implementation Report)</u>	ONLINE
2.	<u>SWD(2019) 439 final, Commission Staff Working Document Fitness Check of the Water Framework Directive, Groundwater Directive, Environmental Quality Standards Directive and Floods Directive, 10 December 2019</u>	ONLINE
3.	<u>SWD(2019) 440 final, Commission Staff Working Document Executive Summary of the Fitness Check of the Water Framework Directive, Groundwater Directive, Environmental Quality Standards Directive and Floods Directive of 10 December 2019</u>	ONLINE

4.	<u>SEC(2019) 438 final Regulatory Scrutiny Board Opinion, Fitness Check of the Water Framework Directive, Groundwater Directive, Environmental Quality Standards Directive and Floods Directive of 15 November 2019</u>	ONLINE
5.	<u>SWD/2019/32 final, Commission Staff Working Document International Cooperation under the Water Framework Directive (2000/60/EC) - Factsheets for International River Basins Accompanying the document Report from the Commission to the European Parliament and the Council on the implementation of the Water Framework Directive (2000/60/EC) and the Floods Directive (2007/60/EC) Second River Basin Management Plans First Flood Risk Management Plans, 26 February 2019</u>	ONLINE
6.	<u>Consolidated text: Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste of 4 July 2018</u>	ONLINE
7.	<u>COM(2015) 120 final, Communication from the Commission to the European Parliament and the Council The Water Framework Directive and the Floods Directive: Actions towards the 'good status' of EU water and to reduce flood risks, 9 March 2015</u>	ONLINE
8.	<u>Consolidated text: Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (Water Framework Directive) of 20 November 2014</u>	ONLINE
9.	<u>Consolidated text: Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration (Groundwater Directive) of 11 July 2014</u>	ONLINE
10.	<u>Commission Directive 2014/80/EU of 20 June 2014 amending Annex II to Directive 2006/118/EC of the European Parliament and of the Council on the protection of groundwater against pollution and deterioration Text with EEA relevance of 20 June 2014</u>	ONLINE
11.	<u>Factsheet: The EU Water Framework Directive, 28 May 2014</u>	ONLINE
12.	<u>Consolidated text: Council Directive of 21 May 1991 concerning urban waste water treatment (91/271/EEC) of 1 January 2014</u>	ONLINE
13.	<u>European Commission: Common Implementation Strategy for the Water Framework Directive (2000/60/EC) - WFD Guidance Documents</u>	ONLINE

14.	<u>Directive 2007/60/EC of the European Parliament and of the Council of 23 October 2007 on the assessment and management of flood risks (Floods Directive) of 23 October 2007</u>	ONLINE
	2. EU Case Law	
15.	<u>Pending Case C-723/21, Stadt Frankfurt (Oder) and FWA, Request for a preliminary ruling of 29 November 2021</u>	ONLINE
16.	<u>C-525/20 Judgment of the Court (Second Chamber) of 5 May 2022, Association France Nature Environnement v Premier ministre and Ministre de la Transition écologique et solidaire</u>	ONLINE
17.	<u>C-559/19 Judgment of the Court (First Chamber) of 24 June 2021, European Commission v Kingdom of Spain</u>	ONLINE
18.	<u>C-535/18 Judgment of the Court (First Chamber) of 28 May 2020, IL and Others v Land Nordrhein-Westfalen</u>	ONLINE
19.	<u>C-556/18, Judgment of the Court (Seventh Chamber) of 26 September 2019, European Commission v Kingdom of Spain</u>	ONLINE
20.	<u>C-529/15 Judgment of the Court (First Chamber) of 1 June 2017, Proceedings brought by Gert Folk</u>	ONLINE
21.	<u>C-686/15 Judgment of the Court (Sixth Chamber) of 7 December 2016, Vodoopskrba i odvodnja d.o.o. v Željka Klafurić</u>	ONLINE
22.	<u>C-648/13 Judgment of the Court (Sixth Chamber) of 30 June 2016. European Commission v Republic of Poland</u>	ONLINE
23.	<u>C-346/14 Judgment of the Court (First Chamber) of 4 May 2016, European Commission v Republic of Austria</u>	ONLINE
24.	<u>C-461/13 Judgment of the Court (Grand Chamber) of 1 July 2015, Bund für Umwelt und Naturschutz Deutschland e.V. v Bundesrepublik Deutschland</u>	ONLINE
25.	<u>C-525/12 Judgment of the Court (Second Chamber) of 11 September 2014 European Commission v Federal Republic of Germany</u>	ONLINE
26.	<u>C-151/12 Judgment of the Court (Fifth Chamber) of 24 October 2013 European Commission v Kingdom of Spain</u>	ONLINE
27.	<u>C-351/09 Judgment of the Court (First Chamber) of 22 December 2010 European Commission v Republic of Malta</u>	ONLINE

D. Discharges in Waters

	I. The Nitrates Directive	
	1. EU Documents	
1.	<u>2021/3003(RSP) Resolution on measures against water pollution caused by nitrates, including improvements in the different nitrate measuring systems in Member States of 5 April 2022</u>	ONLINE
2.	<u>COM(2021) 1000 final, Report from the Commission to the Council and the European Parliament on the implementation of Council Directive 91/676/EEC concerning the protection of waters against pollution caused by nitrates from agricultural sources based on Member State reports for the period 2016–2019, 11 October 2021</u>	ONLINE
3.	<u>SWD/2021/1001 final, Commission Staff Working Document Accompanying the document Report from the Commission to the Council and the European Parliament on the implementation of Council Directive 91/676/EEC concerning the protection of waters against pollution caused by nitrates from agricultural sources based on Member State reports for the period 2016–2019, 11 October 2021</u>	ONLINE
4.	<u>C(2020) 4821, Commission Implementing Decision (EU) 2020/1074 of 17 July 2020 granting a derogation requested by Denmark pursuant to Council Directive 91/676/EEC concerning the protection of waters against pollution caused by nitrates from agricultural sources (Only the Danish version is authentic), 17 July 2020</u>	ONLINE
5.	<u>C/2019/5180 Commission Implementing Decision (EU) 2019/1205 of 12 July 2019 granting a derogation requested by Belgium with regard to the region of Flanders pursuant to Council Directive 91/676/EEC concerning the protection of waters against pollution caused by nitrates from agricultural sources of 12 July 2019</u>	ONLINE
6.	<u>C(2019) 3816 Commission Implementing Decision (EU) 2019/1325 of 27 May 2019 granting a derogation requested by the United Kingdom with regard to Northern Ireland pursuant to Council Directive 91/676/EEC concerning the</u>	ONLINE

	<u>protection of waters against pollution caused by nitrates from agricultural sources of 27 May 2019</u>	
7.	<u>COM(2018) 257 final Report from the Commission to the Council and the European Parliament on the implementation of Council Directive 91/676/EEC concerning the protection of waters against pollution caused by nitrates from agricultural sources based on Member State reports for the period 2012-2015 of 4 May 2018</u>	ONLINE
8.	<u>Factsheet: The EU Nitrates Directive, January 2010</u>	ONLINE
9.	<u>Consolidated text: Council Directive of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources (91/676/EEC), 21 November 2008 (Nitrates Directive)</u>	ONLINE
	2. EU Case Law	
10.	<u>C-298/19 Judgment of the Court (Ninth Chamber) of 27 February 2020, European Commission v Hellenic Republic (French Version)</u>	ONLINE
11.	<u>C-197/18 Judgment of the Court (First Chamber) of 3 October 2019, Proceedings brought by Wasserleitungsverband Nördliches Burgenland and Others</u>	ONLINE
12.	<u>C-543/16 Judgment of the Court (Ninth Chamber) of 21 June 2018, European Commission v Federal Republic of Germany</u>	ONLINE
13.	<u>C-149/19 Judgment of the Court (Ninth Chamber) of 23 April 2015, European Commission v Hellenic Republic (French Version)</u>	ONLINE
14.	<u>C-356/13 Judgment of the Court (Ninth Chamber) of 20 November 2014, European Commission v Republic of Poland (French Version)</u>	ONLINE
15.	<u>C-237/12 Judgment of the Court (Second Chamber) of 4 September 2014, European Commission v French Republic</u>	ONLINE
16.	<u>C-193/12 Judgment of the Court (Seventh Chamber) of 13 June 2013, European Commission v French Republic (French version)</u>	ONLINE
17.	<u>C-41/11 Judgment of the Court (Grand Chamber) of 28 February 2012, Inter-Environnement Wallonie ASBL and Terre wallonne ASBL v Région wallonne</u>	ONLINE
18.	<u>C-526/08 Judgment of the Court (Grand Chamber) of 29 June 2010, European Commission v Grand Duchy of Luxemburg</u>	ONLINE

19.	<u>Joined Cases C-105/09 and C-110/09 Judgment of the Court (Fourth Chamber) of 17 June 2010, Terre wallonne ASBL (C-105/09) and Inter-Environnement Wallonie ASBL (C-110/09) v Région wallonne</u>	ONLINE
20.	<u>C-147/07 Judgment of the Court (Seventh Chamber) of 31 January 2008, Commission of the European Communities v French Republic (French Version)</u>	ONLINE
21.	<u>C-221/03 Judgment of the Court (Third Chamber) of 22 September 2005, Commission of the European Communities v Kingdom of Belgium</u>	ONLINE
II. Water Protection Through Criminal Law		
1. EU Documents		
22.	<u>COM(2021) 851 final, Proposal for a Directive of the European Parliament and of the Council on the protection of the environment through criminal law and replacing Directive 2008/99/EC of 15 December 2021</u>	ONLINE
23.	<u>COM(2021) 814 final Communication from the Commission to the European Parliament and the Council on stepping up the fight against environmental crime of 15 December 2021</u>	ONLINE
24.	<u>Factsheet: "European Green Deal: Strengthening EU law to combat environmental crime" of 15 December 2021</u>	ONLINE
25.	<u>European Commission: Summary Guide - Combating environmental crimes and related infringements of 13 December 2021</u>	ONLINE
26.	SWD(2020) 259 final Commission Staff working document - Evaluation of the Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law (Environmental Crime Directive) of 28 October 2020 <u>Part I + Part II</u>	ONLINE
27.	<u>SWD(2020) 260 final Commission Staff Working Document - Executive Summary of the Evaluation of the Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law (Environmental Crime Directive) of 28 October 2020</u>	ONLINE
28.	<u>SEC(2020) 373 final Regulatory Scrutiny Board Opinion - Evaluation of the Directive 2008/99/EC of the European Parliament and of the Council of 19</u>	ONLINE

	<u>November 2008 on the protection of the environment through criminal law (Environmental Crime Directive)</u>	
29.	<u>COM(2018) 10 final, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions EU actions to improve environmental compliance and governance of 18 January 2018</u>	ONLINE
30.	<u>Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law of 19 November 2008 (Environmental Crime Directive)</u>	ONLINE
	3. Case Law	
31.	<u>C-357/20 Judgment of the Court (Second Chamber) of 28 October 2021, IE v Magistrat der Stadt Wien</u>	ONLINE
32.	<u>Case C-297/19, Judgment of the Court (First Chamber) of 9 July 2020, Naturschutzbund Deutschland — Landesverband Schleswig-Holstein eV v Kreis Nordfriesland</u>	ONLINE
33.	<u>C-534/13 Judgment of the Court (Third Chamber) of 4 March 2015. Ministero dell’Ambiente e della Tutela del Territorio e del Mare v Fipa Group Srl.</u>	ONLINE
34.	<u>C-440/05 Judgment of the Court (Grand Chamber) of 23 October 2007, Commission of the European Communities v Council of the European Union</u>	ONLINE
35.	<u>C-176/03 Judgment of the Court (Grand Chamber) of 13 September 2005, Commission of the European Communities v Council of the European Union</u>	ONLINE

E. Access to Justice in Environmental Matters – Focus on Water Pollution

	I. Access to justice	
	1. EU Documents	

1.	<u>European Commission, Citizen's Guide to Access to Justice in Environmental Matters, 28 September 2018</u>	ONLINE
2.	<u>Briefing, European Parliament, Implementing the Aarhus Convention – Access to justice in environmental matters, October 2017</u>	ONLINE
3.	<u>C(2017) 2616 final, Communication from the Commission of 28 April 2017 - Commission Notice on Access to Justice in Environmental Matters</u>	ONLINE
4.	<u>REGULATION (EC) No 1367/2006 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 6 September 2006 on the application of the provisions of the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters to Community institutions and bodies</u>	ONLINE
5.	<u>DIRECTIVE 2003/4/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC</u>	ONLINE
6.	<u>DIRECTIVE 2003/35/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 26 May 2003 providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice Council Directives 85/337/EEC and 96/61/EC</u>	ONLINE
7.	<u>REGULATION (EC) No 1049/2001 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 30 May 2001 regarding public access to European Parliament, Council and Commission documents</u>	ONLINE
	2. International documents	
8.	<u>Aarhus Convention: An implementation guide, United Nations Economic Commission for Europe, 2014</u>	ONLINE
9.	<u>Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus Convention), 25 June 1998</u>	ONLINE
	3. EU Case Law	
10.	<u>C-463/20 Judgment of the Court (Third Chamber) of 24 February 2022, amur-Est Environnement ASBL v Région wallonne</u>	ONLINE

11.	<u>C-470/19 Judgment of the Court (First Chamber) of 15 April 2021, Friends of the Irish Environment Ltd v Commissioner for Environmental Information</u>	ONLINE
12.	<u>T-9/19 JUDGMENT OF THE GENERAL COURT (Second Chamber, Extended Composition) 27 January 2021, ClientEarth v European Investment Bank (EIB)</u>	ONLINE
13.	<u>C-619/19 JUDGMENT OF THE COURT (First Chamber) 20 January 2021, Land Baden-Württemberg v D.R.</u>	ONLINE
14.	<u>Case C-826/18 JUDGMENT OF THE COURT (First Chamber) 14 January 2021, LB and others v College van burgemeester en wethouders van de gemeente Echt-Susteren</u>	ONLINE
15.	<u>C-784/18 Judgment of the Court (First Chamber) of 3 September 2020, Mellifera eV, Vereinigung für wesensgemäße Bienenhaltung v European Commission</u>	ONLINE
16.	<u>C-535/18 Judgment of the Court (First Chamber) of 28 May 2020, IL and Others v Land Nordrhein-Westfalen</u>	ONLINE
17.	<u>C-280/18 JUDGMENT OF THE COURT (First Chamber) 7 November 2019, Alain Flausch and others v Ypourgos Perivallontos kai Energeias</u>	ONLINE
18.	<u>C-71/14 JUDGMENT OF THE COURT (Fifth Chamber) 6 October 2015, East Sussex County Council v Information Commissioner</u>	ONLINE
19.	<u>C-461/13 Judgment of the Court (Grand Chamber) of 1 July 2015, Bund für Umwelt und Naturschutz Deutschland e.V. v Bundesrepublik Deutschland</u>	ONLINE
20.	<u>C-562/12 JUDGMENT OF THE COURT (Fourth Chamber) 17 September 2014, Liivimaa Lihaveis MTÜ v Eesti-Läti programmi 2007-2013 Seirekomitee</u>	ONLINE
21.	<u>C-530/11 JUDGMENT OF THE COURT (Second Chamber) 13 February 2014, European Commission v United Kingdom of Great Britain and Northern Ireland</u>	ONLINE
22.	<u>C-260/11 JUDGMENT OF THE COURT (Fourth Chamber) 11 April 2013, David Edwards, Lilian Pallikaropoulos v Environment Agency</u>	ONLINE
23.	<u>Joined Cases C-72/10 and C-77/10 JUDGMENT OF THE COURT (Fourth Chamber) 16 February 2012, criminal proceedings against Marcello Costa (C-72/10), Ugo Cifone (C-77/10)</u>	ONLINE