



# Environmental Liabilities And Regulation In Europe

**Joshua Lipton, Ece Özdemiroğlu, David  
Chapman, Jennifer Peers**



## **Environmental Liabilities And Regulation In Europe:**

**Environmental Liabilities and Regulation in Europe** Mark Brealey, 1993      Environmental Liabilities and Regulations in Europe Mark Brealey, 1993-09 Environmental Liabilities and Regulation in Europe is a comprehensive legal treatise designed to assist you in creating an effective strategy for assessing liability avoiding litigation and protecting your company's or your clients interests Each chapter describes the principal environmental laws authorities and hazards of criminal and civil liability within a particular country There are significant insights to be gained from the material on enforcement and on the implementation of European Community directives in national law As a guide to substantive national legislation across twenty one jurisdictions this book is a most valuable asset Today many companies are devoting an increasing proportion of capital and managerial energy to environmental programmes The first step in any such programme is usually to make sure the company complies with federal state and local environmental laws and regulations For lawyers and non lawyers alike who need to know more about the risks and opportunities involved Environmental Liabilities and Regulation in Europe is an essential text More than a legal guide Environmental Liabilities and Regulation in Europe is also a source of practical information on environmental authorities identifying when and where licenses and permits are necessary establishing benchmarks for environmental performance practicing due diligence especially in cross border situations minimizing the risk of prosecution and safeguarding the company and its employees from liability      **The EU**

**Environmental Liability Directive** Lucas Bergkamp, Barbara Goldsmith, 2013-03-14 Similar to the United States US Natural Resource Damage NRD program defined under the Comprehensive Environmental Response Compensation and Liability Act CERCLA or Superfund and the Oil Pollution Act OPA the European Union's EU Environmental Liability Directive ELD imposes liability for and requires remediation of significant damage to natural habitats and species protected at Community and national levels surface and ground waters covered by the Water Framework Directive and land The ELD was first published in 2004 and has since been transposed into the national laws of all EU Member States However there is little guidance available to authorities and industry in interpreting and applying the ELD and meeting its prevention and restoration objectives This volume is the first to describe the EU's ELD and to examine the emerging issues and practices in its application While there are differences between the US and EU regimes some of the underlying concepts approaches and definitions embedded in NRD are also mirrored in the text of the ELD The book includes a comparison of similarities and differences as well as synergies in practice hence this book will be of interest to both US and European readers The ELD imposes liability for significant damage to natural habitats and species protected at Community and national levels surface and ground waters covered by the Water Framework Directive and land Prior to the ELD's adoption many Member States had programs in place for the restoration of soil and groundwater contamination but none had a regime for addressing harm to unowned natural resources This volume presents a comprehensive legal commentary on the legal issues arising under the

ELD as well as an overview of administrative technical and legal issues and practices in applying the ELD regimes to cases of actual or threatened environmental damage. In doing so it discusses both substantive issues and important procedural and process related issues. Several case studies are presented to illustrate the issues and practical solutions. In addition emerging best practices relating to practical ELD application are identified and presented. Identifying and discussing a wide range of emerging administrative technical and economic practice issues arising under member state legislation transposing and implementing the ELD, this book will be a valuable resource for all those whose work is affected by the ELD.

Environmental Liability and the Interplay between EU Law and International Law Emanuela Orlando, 2023-07-24. The role of law in responding to global environmental problems and the interplay between different levels of regulation and governance is becoming increasingly relevant in the field of liability and reparation for environmental damage. This book examines the relationship and reciprocal influences between the EU and the international legal order in a multilevel and comparative perspective in relation to the ongoing efforts to elaborate effective regimes of liability and reparation for environmental damage. It offers a comparative analysis of legal developments in the field of environmental liability within the EU and at the international law level and addresses questions concerning the impact of such interaction on the development, implementation and enforcement of appropriate responses to environmental damage within the respective legal orders and on a global level. Given the book's focus and the transnational legal dimension of the issues covered, this volume will be of great interest to legal academics and researchers working in the environmental law field from an EU law and international law perspective as well as more generally to scholars interested in the study of the relationship between EU and international law. Outside academia, the book will also be of great interest to practitioners wishing to get insights into the application of the law of environmental liability in the EU and at the international law level.

*Environmental Criminal Liability and Enforcement in European and International Law* Ricardo Pereira, 2015-09-29. The drive for harmonisation of environmental criminal standards at both the international and European level emerges from the increasing recognition of the scale and seriousness of environmental crime, the need to strengthen mechanisms of police and judicial interstate cooperation to combat cross border crime and the objective to ensure fair competition in a global economy and an integrated EU common market. The harmonisation of environmental criminal law requires a competent institutional framework able to convey the need for criminalisation of environmental harm while not overriding national aspirations to sovereignty in criminal matters. The book *Environmental Criminal Liability and Enforcement in European and International Law* assesses legal theoretical and practical questions of harmonisation of national environmental criminal law and the mechanisms for cooperation by sovereign states under European and International Law with a particular emphasis on legislative developments in the European Union, the Council of Europe and other international institutions assessing the case for an extension of the jurisdiction of the International Criminal Court over international environmental crimes.

**Corporate Environmental**

## **Responsibility, Accounting and Corporate Finance in the EU** Panagiotis Dimitropoulos, Konstantinos

Koronios, 2021-04-08 The purpose of this book is to study the association of corporate environmental responsibility CER with financial performance capital structure innovative activities corporate risk working capital management and accounting quality Undoubtedly CER has been developed into a crucial corporate issue around the world CER has been incorporated within various sectors countries and includes many types of activities and dimensions A fundamental issue that is addressed in this book is how corporate finance and accounting are affected by CER activities and how it impacts company performance In order to analyse this interrelation the authors focus on a sample of firms from 28 EU member countries The purpose of this book is to study the association of CER with financial performance capital structure innovative activities corporate risk working capital management and accounting quality The book also intends to provide useful policy recommendations as well as to offer constructive impulses for future research

## **EU Environmental Law, International Environmental Law, and Human Rights Law** Armelle Gouritin, 2016-01-12

In EU Environmental Law International Environmental Law and Human Rights Law The Case of Environmental Responsibility Armelle Gouritin offers a critical appraisal of EU environmental responsibility law and asserts a new rights based approach to international environmental law This book addresses environmental damage environmental harm the grounds for environmental responsibility and the exceptions to the responsibility principle A critical appraisal of EU Directives 2004/35 and 2008/99 is complemented by an analysis of the input of the European Court on Human Rights and international environmental law with a view to filling the gaps identified in the Directives Gouritin offers a full analysis of the potential and limits of the rights based approach applied to environmental responsibility

Strategic Environmental Assessment in International and European Law Simon Marsden, 2012 Strategic environmental assessment SEA is a regulatory requirement for development across Europe North America Australasia and elsewhere yet understanding the legal aspects is challenging This comprehensive guide provides that understanding in a clear and straightforward way The introduction considers SEA and the law explaining what SEA is why it is needed how it works and why it is required as well as examining the role of the law Part One provides an overview of international law environmental impact assessment EIA and international law including treaties customary international law and soft law relevant to SEA It analyses the Kiev SEA Protocol and related UNECE conventions the Espoo Convention on EIA in a Transboundary Context and the Aarhus Convention on Access to Information Public Participation and Access to Justice in Environmental Matters It also analyses the role of SEA in conservation conventions Part Two considers how the European legal system works including an overview of the current status of European law It examines the EIA Directive and SEA Directive together with other relevant directives and regulations such as the Habitats and Wild Birds Directives the Water Framework Directive the Public Participation for Plans and Programmes Directive and the Structural Funds Regulations Finally the volume draws conclusions about the relationship and comparisons between international and European law

generally and in regulating SEA      The Yearbook of European Environmental Law Thijs Etty, Han Somsen, 2008-09-04 The Yearbook of European Environmental Law is a joint venture between leading academics practitioners and Community officials Academics and students will find a wealth of information in the stimulating and clearly written articles The well structured and reliable Annual Survey is specifically designed to provide easy access to the very latest developments in environmental law at the European level Separate parts of the Yearbook are devoted to important policy documents and reviews of books      **European Community Law for the New Economy** Lucas Bergkamp, 2003 The European Community EC has embarked on an ambitious legislative program for the new economy In European Community Law for the New Economy professor Lucas Bergkamp analyzes the EC's current and proposed new economy legislation The new economy according to Bergkamp is not only the internet the information society and biotechnology but also a different kind of old economy a different kind of corporate governance and a different kind of government Accordingly in addition to the EC e-commerce data protection and biotechnology legislation this book discusses also the grand principles of EC policy making such as sustainable development and the precautionary principle the theory of corporate social responsibility and EC government reform With its wide ranging insightful and engaging analyses and devoid of obliquity EC Law for the New Economy is a unique publication This book must be read by everybody who wants to gain a deeper understanding of the effects of EC legislation the root causes of regulatory failures and possible solutions to these problems It is of interest to lawyers politicians policy makers government officials political scientists advanced students and autodidacts Lucas Bergkamp is a lawyer at the Brussels Bar and Professor of International Liability Law Erasmus University Rotterdam The Netherlands

**Equivalency Methods for Environmental Liability** Joshua Lipton, Ece Özdemiroğlu, David Chapman, Jennifer Peers, 2018-02-12 The book is the only technical volume that explains how equivalency analysis methods mentioned in Annex II of the European Environmental Liability Directive should be implemented It uses case studies to illustrate real world application of the methods which are based on the experience in the USA and in the European Union and have been tested in three years of training programs funded by the European Commission Academically rigorous and technically comprehensive the book is intended for technical experts wanting to assess damage and remediation options as well as for decision makers wishing to commission such assessments and judge their quality These include competent authorities operators financial security providers academics consultants and NGOs      **The Habitats Directive in its EU Environmental Law Context**

Charles-Hubert Born, An Cliquet, Hendrik Schoukens, Delphine Misonne, Geert Van Hoorick, 2014-11-27 This book analyses the Habitats Directive one of the most prominent pieces of EU environmental legislation of the past decades Seen by some as the cornerstone of Europe's nature conservation policy among other measures the Directive established the so called Natura 2000 ecological network which covers more than 18% of the surface of the EU However despite the fact the Directive was adopted over twenty years ago only 17% of the protected habitats and species in Europe are being adequately protected

while 10 60 % of animal species remain under threat In light of the limited success and the contested nature of the Habitats Directive so far this book examines the successes and failures of the Habitats Directive from a legal and political angle The book brings together international experts to consider the application implementation and future of the Habitats Directive in order to assess whether the Habitats Directive is resilient enough to tackle biodiversity loss in the twenty first century Particular emphasis is put on the legal regime attached to the Natura 2000 network and its possible impact on land development and the relationship between the Habitats Directive and other topics including liability for ecological damage and transboundary nature conservation Krämer's EU Environmental Law Ludwig Krämer, Christopher Badger, 2024-05-30

The new edition of this essential book details the present state of EU environmental law as it has developed over the last 50 years The author was personally involved in its making and enforcement having worked for more than 30 years in the environmental department of the European Commission The book therefore provides unique insights into this complex field The book discusses in detail governance and other horizontal issues such as competence questions the division of power between the EU and its Member States the individual right to a clean environment and the integration of environmental requirements into other EU policies such as energy transport agriculture fisheries trade and tourism New chapters elaborate on the relationship between UK and EU law after Brexit written by Christopher Badger and on the global effect of EU environmental law and policy Other chapters deal with climate change biodiversity water protection air and noise pollution products and waste Implementation of EU law in the Member States and the prominent role of the EU Court of Justice with its more than 1 100 environmental judgments are discussed as well as an overall assessment of EU law and policy in environmental matters and its perspectives to 2030 under the 8th EU environmental action programme At a time of globalisation the book is indispensable reading for students researchers and practising lawyers alike **EU Global Value**

**Chain Regulation** Josephine Norris, 2025-08-07 This practical guide enables practitioners compliance professionals and anyone with an interest in the international dimension of supply chains to navigate the EU s approach to regulating global value chains Global Value Chains a central feature of international trade and the world economy present unique regulatory challenges and opportunities Taking examples of recently adopted EU legal instruments the book examines how the EU is applying environmental and labour standards along supply chains connected to its internal market Covering due diligence requirements new rules tackling deforestation and the EU s landmark carbon border adjustment mechanism CBAM it explores the synergies between these different regulatory tools and draws comparisons with approaches to global value chain regulation in other jurisdictions The emergence of this rapidly expanding regulatory framework is not without controversy Written by a legal practitioner working for the European Commission the book situates the EU s approach to global value chain regulation in the framework of broader discussions on the complex interface between international trade law international environmental law and the UN sustainable development goals Structured as a contextualised accessible

guide the book decodes the emerging EU regulatory landscape and offers a perspective on future developments in this legal field

**Environmental Regulation Through Financial Organisations: Comparative Perspectives on the Industrialised Nations** Benjamin Richardson, 2002-02-13 This book takes a comparative perspective of practice in the European Union North America Japan and Australasia arguing that existing legal reforms to promote sustainable development are unlikely to be successful unless environmental policy can be diffused and embedded in the financial services sector This sector plays a crucial role in creating the financial conditions that allow much economic development to proceed Financial markets are already highly regulated in pursuance of various public policy objectives and there is scope to adapt existing regulation to incorporate environmental aspects into the financial services sector In terms of specific reforms the book focuses on the role of corporate environmental reporting economic instruments and liability rules to provide a proper context for engaging financial organisations with the environment as well as reforms to the system of prudential regulation that currently governs this sector Beyond the focus on the financial services sector the book raises complex questions regarding the relationship between the state and market institutions in environmental policy and will appeal to scholars from a wide range of disciplines interested in problems of environmental governance

The Oxford Handbook of Comparative Environmental Law Emma Lees, Jorge E. Viñuales, 2019-05-06 This Handbook is the first comprehensive account of comparative environmental law It examines in detail the methodological foundations of the discipline as well as the substance of environmental law across countries from four vantage points country studies from all continents responses to common problems including air pollution water management nature conservation genetically modified organisms climate change and energy chemicals waste foundational components of environmental law systems including principles property rights administrative and judicial organisation command and control regulation market mechanisms informational techniques and liability mechanisms and common interactions of environmental protection with the broader public private and criminal law contexts The volume brings together the foremost authorities in this field from around the world to provide a concise self contained and technically rigorous account of environmental law as a single overall system

Environmental Law: Text, Cases & Materials Elizabeth Fisher, Bettina Lange, Eloise Scotford, 2013-04-25 This new title offers a compact and complete resource for students featuring extracts from leading cases and articles alongside clear explanations and insightful analysis from an experienced author team This unique approach places environmental law in context enabling you to develop a clear and sophisticated understanding of this dynamic area

*Public Liability in EU Law* Pekka Aalto, 2011-11-01 Over the last two decades public law liability for breach of European Union law has been subject to remarkable developments This book examines the convergence between its two constituent systems the damages liability of the EU and that of its Member States for failing to comply with EU rules Member State liability based as it is on the Francovich case 1991 and Brasserie du P cheur and Factortame 1996 judgments of the European Court of Justice ECJ is well established But it is yet to be closely



scrutinised by reference to the detailed rules on the liability of the European Union. The focus of the book is on the two key legal criteria that are common to both systems namely the grant of rights to individuals by EU law and the notion of sufficiently serious breach of such rights. The analysis concentrates on developments in the case law of the ECJ and the General Court since the *Bergaderm* judgment 2000 which consolidated the convergence of the two liability systems that was first indicated in *Brasserie du P cheur* and *Factortame*. These two criteria are set side by side to evaluate the extent in real terms of the convergence of Member State and EU institutional damages liability and to determine the extent to which one has influenced the other. This book shows that although full convergence between the two liability systems is not likely each stream of case law should look to the other more actively as this important element of EU remedial law develops. Convergence in EU law public liability is supported by developments in adjacent areas most notably European tort law and European administrative law. This study also illustrates how convergence in the EU liability systems to date has had spill over effects into national public liability law.

#### **International Documents on Environmental Liability** Hannes

Descamps, Robin Slabbinck, Hubert Bocken, 2008-05-26 *International Documents on Environmental Liability* brings together 30 official full text documents in the field of international environmental liability into an easily accessible practical handbook. It details the work of the International Law Commission on this topic and provides the latest versions of international liability conventions and their statuses including the latest on 1 2003 UNECE Kyiv Liability Protocol 2 2004 EC Directive on Environmental Liability 3 2005 Antarctica Liability Annex. The authors combined capacity as an academic policy advisor and practitioner have helped bring forth a publication that reflects their experience of being involved in the development negotiations and implementation of environmental liability regimes at both an international and European level.

*Maritime Safety in Europe* Justyna Nawrot, Zuzanna Pełowska-Dąbrowska, 2020-12-23 The book is concerned with the harmonisation of maritime safety legal systems in Europe. It describes maritime safety legal systems in selected European countries as well as maritime safety issues from the perspective of the International Maritime Organisation, European Union and European Free Trade Association. Distinguished scholars from Europe's leading maritime law academic centres present national perspectives of maritime safety systems questioning whether the adopted national solutions guarantee the compatibility with IMO and EU legal regime as well as assessing the global and EU system. Moreover the book seeks to provide some answers as to whether the IMO goals on maritime safety are adequate in light of current safety challenges and how to achieve higher level of enforcement of internationally recognised maritime safety standards. It will be of great assistance to those readers who need to familiarize themselves with current problems inherent in maritime safety whether that be lawyers scholars professional mariners or national institutions. Chapter 14 of this book is freely available as a downloadable Open Access PDF at <http://www.taylorfrancis.com> under a Creative Commons Attribution Non Commercial No Derivatives CC BY NC ND 4.0 license.

## Unveiling the Magic of Words: A Review of "**Environmental Liabilities And Regulation In Europe**"

In some sort of defined by information and interconnectivity, the enchanting power of words has acquired unparalleled significance. Their ability to kindle emotions, provoke contemplation, and ignite transformative change is really awe-inspiring. Enter the realm of "**Environmental Liabilities And Regulation In Europe**," a mesmerizing literary masterpiece penned by a distinguished author, guiding readers on a profound journey to unravel the secrets and potential hidden within every word. In this critique, we shall delve in to the book is central themes, examine its distinctive writing style, and assess its profound effect on the souls of its readers.

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