

Background Documentation

	1. EU Documents	
	a.) EU Treaties	
1.	<u>Treaty on European Union</u> (consolidated version) 7 June 2016, OJ C202/01	Online
2.	<u>Treaty on the Functioning of the European Union</u> (consolidated version), 7 June 2016, OJ C202/01	Online
	b.) EU Legislation	
3.	<u>Directive (EU) 2016/2284 of the European Parliament and of the Council of 14 December 2016 on the reduction of national emissions of certain atmospheric pollutants, amending Directive 2003/35/EC and repealing Directive 2001/81/EC</u>	Online
4.	<u>Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment</u> (amending EIA Directive)	Online
5.	<u>DIRECTIVE 2011/92/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment</u> (EIA Directive)	Online
6.	<u>Informal consolidated version of the EIA Directive</u>	print
7.	<u>Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (Recast)</u> (Industrial Emission Directive)	print
8.	<u>Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds</u> (Birds Directive)	Online

9.	<u>Directive 2009/31/EC of the European Parliament and of the Council of 23 April 2009 on the geological storage of carbon dioxide and amending Council Directive 85/337/EEC, European Parliament and Council Directives 2000/60/EC, 2001/80/EC, 2004/35/EC, 2006/12/EC, 2008/1/EC and Regulation (EC) No 1013/2006</u>	Online
10.	<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</u>	Online
11.	<u>DIRECTIVE 2001/42/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (SEA Directive)</u>	print
12.	<u>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>	print
13.	<u>Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (Habitats Directive)</u>	print
	c.) Policy Documents	
14.	<u>Evaluation of Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (the Strategic Environmental Assessment – SEA - Directive), Roadmap, 11 July 2017</u>	Online
15.	<u>Environmental Impact Assessment of Projects – Guidance on Screening (Directive 2011/92/EU as amended by 2014/52/EU), European Commission, 2017</u>	Online

16.	<u>Environmental Impact Assessment of Projects – Guidance on Scoping (Directive 2011/92/EU as amended by 2014/52/EU), European Commission, 2017</u>	Online
17.	<u>Environmental Impact Assessment of Projects – Guidance on the preparation of the Environmental Impact Assessment Report (Directive 2011/92/EU as amended by 2014/52/EU), European Commission, 2017</u>	Online
18.	<u>Common Implementation Strategy for the Water Framework Directive and the Floods Directive, Guidance Document No. 36; Exemptions to the Environmental Objectives according to Article 4(7); New modifications to the physical characteristics of surface water bodies, alterations to the level of groundwater, or new sustainable human development activities (2017)</u>	Online
19.	<u>Commission Notice on access to justice in environmental matters (2017/C 275/01)</u>	Online
20.	<u>Commission guidance document on streamlining environmental assessments conducted under Article 2(3) of the Environmental Impact Assessment Directive (Directive 2011/92/EU of the European Parliament and of the Council, as amended by Directive 2014/52/EU) (2016/C 273/01)</u>	Online
21.	<u>Good practice Recommendations on Public Participation in Strategic Environmental Impact Assessment, UNECE Espoo Convention, February 2016</u>	Online
22.	<u>Interpretation of definitions of project categories of annex I and II of the EIA Directive, 2015</u>	Online
23.	<u>DIRECTIVE 2014/52/EU of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment, Presentation</u>	Online
24.	<u>(Informal) Checklist for transposition, Directive 2014/52/EU, 2014</u>	Online
25.	<u>Maastricht Recommendations on Promoting Effective Public</u>	Online

	<u>Participation in Decision-making in Environmental Matters, 30 June and 1 July 2014</u>	
26.	<u>Streamlining environmental assessment procedures for energy infrastructure Projects of Common Interest (PCIs), July 2013</u>	Online
27.	<u>Guidance on the Application of the Environmental Impact Assessment Procedure for Large-scale Transboundary Projects, May 2013</u>	Online
28.	<u>Guidance on Integrating Climate Change and Biodiversity into Environmental Impact Assessment, March 2013</u>	Online
29.	<u>Guidance on Integrating Climate Change and Biodiversity into Strategic Environmental Assessment, March 2013</u>	Online
30.	<u>European Commission, Links between the Water Framework Directive (WFD 2000/60/EC) and Nature Directives (Birds Directive 2009/147/EC and Habitats Directive 92/43/EEC; Frequently asked questions (December 2011);</u>	Online
31.	<u>Common Implementation Strategy for the Water Framework Directive (2000/60/EC), Guidance Document No. 20; Guidance Document on Exemptions to the Environmental Objectives (2009)</u>	Online
32.	<u>Guidance on Public Participation in Environmental Impact Assessment in a Transboundary Context , UNECE 2006</u>	Online
	d.) Reports and other useful Documents	
33.	<u>Environmental Assessment of Projects and Plans and Programmes, Rulings of the Court of Justice of the European Union, 10 October 2017</u>	Online
34.	<u>COM(2017) 234 final REPORT FROM THE COMMISSION TO THE COUNCIL AND THE EUROPEAN PARLIAMENT under Article 12(3) of Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment of 15 May 2017</u>	Online

35.	<u>Progressing quality control in environmental impact assessment beyond legislative compliance: An evaluation of the IEMA EIA Quality Mark certification scheme, by Alan Bond, Thomas B Fischer and Josh Fothergill, December 2016</u>	Online
36.	<u>WORKSHOP ON THE APPLICATION AND EFFECTIVENESS OF THE SEA DIRECTIVE (DIRECTIVE 2001/42/EC) Key messages & Conclusions of 18 May 2016</u>	Online
37.	<u>Protocol on Strategic Environmental Assessment - Facts and Benefits, UNECE May 2016</u>	Online
38.	<u>Study concerning the preparation of the report on the application and effectiveness of the SEA Directive (Directive 2001/42/EC) 2016</u>	Online
39.	<u>First Review of Implementation of the Protocol on Strategic Environmental Assessment (2010-2012), UNECE August 2015</u>	Online
40.	<u>Fourth review of implementation of the Convention on Environmental Impact Assessment in a Transboundary Context (2010-2012), UNECE August 2015</u>	Online
41.	<u>The implementation of the Environmental Impact Assessment on the basis of precise examples, IMPEL, final report 12 November 2012</u>	Online
42.	<u>COM(2012) 628 final Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment, 26 October 2012 (no longer in force) (Amendment of the EIA Directive)</u>	Online
43.	<u>SWD(2012) 355 final COMMISSION STAFF WORKING PAPER IMPACT ASSESSMENT Accompanying the document PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment This report commits only the Commission's services involved in its preparation and does not prejudge the final form</u>	Online

	<u>of any decision to be taken by the Commission, 26 October 2012 (Amendment of the EIA Directive)</u>	
	2. International Documents	
44.	<u>UNECE Convention on Transboundary EIA (Espoo) 1991</u>	Online
45.	<u>CONVENTION ON ACCESS TO INFORMATION, PUBLIC PARTICIPATION IN DECISION-MAKING AND ACCESS TO JUSTICE IN ENVIRONMENTAL MATTERS done at Aarhus, Denmark, on 25 June 1998 (Aarhus Convention)</u>	Online
46.	<u>European Convention on Human Rights as amended by Protocols Nos. 11 and 14, supplemented by Protocols Nos. 1, 4, 6, 7, 12 and 13</u>	Online
	3. CJEU Case Law	
	a.) Opinions/Ongoing Proceedings	
47.	<u>C-43/18, Compagnie d'entreprises CFE SA v Région de Bruxelles-Capitale lodged on 24 January 2018</u>	Online
48.	<u>C-160/17, Raoul Thyboaut and others v Région wallone, Opinion AG Kokott delivered on 25 January 2018 (only available in French)</u>	Online
49.	<u>C-671/16, Inter-Environnement Bruxelles ASBL, Opinion AG Kokott delivered on 25 January 2018</u>	Online
	b.) Judgements	
50.	<u>Case C-97/17, Judgment of the Court (Second Chamber) of 26 April 2018, European Commission v Republic of Bulgaria</u>	Online
51.	<u>Case C-441/17, Judgment of the Court (Grand Chamber) of 17 April 2018, European Commission v Republic of Poland</u>	Online

52.	<u>Case C-323/17, Judgment of the Court (Seventh Chamber) of 12 April 2018, People Over Wind and Peter Sweetman v Coillte Teoranta</u>	Online
53.	<u>Case C-470/16, Judgment of the Court (First Chamber) of 15 March 2018, North East Pylon Pressure Campaign Limited and Maura Sheehy v An Bord Pleanála and Others</u>	Online
54.	<u>Case C-117/17, Judgment of the Court (Sixth Chamber) of 28 February 2018, Comune di Castelbellino v Regione Marche and Others</u>	Online
55.	<u>Case C-664/15, Judgment of the Court (Second Chamber) of 20 December 2017, Protect Natur-, Arten- und Landschaftsschutz Umweltorganisation v Bezirkshauptmannschaft Gmünd</u>	Online
56.	<u>Case C-281/16, Judgment of the Court (Fourth Chamber) of 19 October 2017, Vereniging Hoekschewaards Landschap v Staatssecretaris van Economische Zaken</u>	Online
57.	<u>Joined Cases C-196/16 and C-197/16 Judgment of the Court (First Chamber) of 26 July 2017 Comune di Corridonia and Others v Provincia di Macerata and Provincia di Macerata Settore 10 – Ambiente</u>	Online
58.	<u>Case C-60/15 P Judgment of the Court (Fifth Chamber) of 13 July 2017 Saint-Gobain Glass Deutschland GmbH v European Commission</u>	Online
59.	<u>Case C-529/15 Judgment of the Court (First Chamber) of 1 June 2017 Proceedings brought by Gert Folk</u>	Online
60.	<u>Case C-142/16 Judgment of the Court (Second Chamber) of 26 April 2017 European Commission v Federal Republic of Germany</u>	Online
61.	<u>Case C-444/15 Judgment of the Court (Third Chamber) of 21 December 2016 Associazione Italia Nostra Onlus v Comune di Venezia and Others</u>	Online

62.	<u>Case C-645/15 Judgment of the Court (Sixth Chamber) of 24 November 2016 Bund Naturschutz in Bayern e.V. and Harald Wilde v Freistaat Bayern</u>	Online
63.	<u>Case C-461/14 Judgment of the Court (Fifth Chamber) of 24 November 2016 European Commission v Kingdom of Spain</u>	Online
64.	<u>Case C-442/14 Judgment of the Court (Fifth Chamber) of 23 November 2016 Bayer CropScience SA-NV and Stichting De Bijenstichting v College voor de toelating van gewasbeschermingsmiddelen en biociden</u>	Online
65.	<u>C-348/15 Judgment of the Court (First Chamber) of 17 November 2016 Stadt Wiener Neustadt v Niederösterreichische Landesregierung</u>	Online
66.	<u>Case C-243/15 Judgment of the Court (Grand Chamber) of 8 November 2016 Lesoochránárske zoskupenie VLK v Obvodný úrad Trenčín</u>	Online
67.	<u>Case C-290/15 Judgment of the Court (Second Chamber) of 27 October 2016 Patrice D'Oultremont and Others v Région wallonne</u>	Online
68.	<u>Case C-379/15 Judgment of the Court (First Chamber) of 28 July 2016 Association France Nature Environnement v Premier ministre and Ministre de l'Écologie, du Développement durable et de l'Énergie</u>	Online
69.	<u>Case C-141/14 Judgment of the Court (Third Chamber) of 14 January 2016 European Commission v Republic of Bulgaria</u>	Online
70.	<u>Case C-137/14 Judgment of the Court (Second Chamber) of 15 October 2015 European Commission v Federal Republic of Germany</u>	Online
71.	<u>Case C-473/14 Judgment of the Court (Ninth Chamber) of 10 September 2015 Dimos Kropias Attikis v Ypourgos Perivallontos, Energeias kai Klimatikis Allagis</u>	Online

72.	<u>Case C-570/13 Judgment of the Court (Fifth Chamber) of 16 April 2015 Karoline Gruber v Unabhängiger Verwaltungssenat für Kärnten and Others</u>	Online
73.	<u>Case C-534/13 Judgment of the Court (Third Chamber) of 4 March 2015 Ministero dell'Ambiente e della Tutela del Territorio e del Mare and Others v Fipa Group srl and Others</u>	Online
74.	<u>Case C-531/13 Judgment of the Court (Second Chamber) of 11 February 2015 Marktgemeinde Straßwalchen and Others v Bundesminister für Wirtschaft, Familie und Jugend</u>	Online
75.	<u>Case C-300/13 Judgment of the Court (Seventh Chamber), 27 March 2014 Ayuntamiento de Benferri v Consejería de Infraestructuras y Transporte de la Generalitat Valenciana and Iberdrola Distribución Eléctrica SAU (French)</u>	Online
76.	<u>Case 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
77.	<u>Case C-72/12 Judgment of the Court (Second Chamber), 7 November 2013 Gemeinde Altrip and Others v Land Rheinland-Pfalz</u>	Online
78.	<u>Case C-463/11 Judgment of the Court (Fourth Chamber), 18 April 2013 L v M</u>	Online
79.	<u>Case C-260/11 Judgment of the Court (Fourth Chamber), 11 April 2013 The Queen, on the application of David Edwards and Lilian Pallikaropoulos v Environment Agency and Others</u>	Online
80.	<u>Case C-244/12 Judgment of the Court (Fifth Chamber), 21 March 2013 Salzburger Flughafen GmbH v Umweltsenat</u>	Online

81.	<u>Case C-420/11 Judgment of the Court (Fourth Chamber), 14 March 2013 Jutta Leth v Republik Österreich, Land Niederösterreich</u>	Online
82.	<u>C-416/10 Judgment of the Court (Grand Chamber) of 15 January 2013, Jozef Križan and Others v Slovenská inšpekcia životného prostredia.</u>	Online
83.	<u>C-121/11 Judgment of the Court (Third Chamber) of 19 April 2012, Pro-Braine ASBL and Others v Commune de Braine-le-Château.</u>	Online
84.	<u>Case C-41/11 Judgment of the Court (Grand Chamber), 28 February 2012 Inter-Environnement Wallonie ASBL and Terre wallonne ASBL v Région wallonne</u>	Online
85.	<u>C-115/09 Judgment of the Court (Fourth Chamber) of 12 May 2011. Bund für Umwelt und Naturschutz Deutschland, Landesverband Nordrhein-Westfalen eV v Bezirksregierung Arnsberg.</u>	Online
86.	<u>C-275/09 Judgment of the Court (First Chamber) of 17 March 2011, Brussels Hoofdstedelijk Gewest and Others v Vlaamse Gewest.</u>	Online
87.	<u>C-50/09 Judgment of the Court (First Chamber) of 3 March 2011, European Commission v Ireland.</u>	Online
88.	<u>C-75/08 Judgment of the Court (Second Chamber) of 30 April 2009, The Queen, on the application of Christopher Mellor v Secretary of State for Communities and Local Government.</u>	Online
89.	<u>C-142/07 Judgment of the Court (Third Chamber) of 25 July 2008, Ecologistas en Acción-CODA v Ayuntamiento de Madrid.</u>	Online

90.	<u>C-156/07 Order of the Court (Sixth Chamber) of 10 July 2008, Salvatore Aiello and Others v Regione Lombardia and Others.</u>	Online
91.	<u>C-215/06 Judgment of the Court (Second Chamber) of 3 July 2008, Commission of the European Communities v Ireland.</u>	Online
92.	<u>C-2/07 Judgment of the Court (Second Chamber) of 28 February 2008, Paul Abraham and Others v Région wallonne and Others</u>	Online
93.	<u>C-508/03 Judgment of the Court (First Chamber) of 4 May 2006, Commission of the European Communities v United Kingdom of Great Britain and Northern Ireland.</u>	Online
94.	<u>C-290/03 Judgment of the Court (First Chamber) of 4 May 2006, The Queen, on the application of: Diane Barker v London Borough of Bromley.</u>	Online
95.	<u>Case C-127/02 Landelijke Vereniging tot Behoud van de Waddenzee, Nederlandse vereniging tot Bescherming van Gogels v Staatssecretaris van Landbouw, Natuurbeheer en Visserij (Waddenzee)</u>	Online