

News March 2007

Proposal for a directive on environmental crime

Following the jurisprudence of the European Court of Justice of September 13, 2005, the European Commission presented on February 9, 2007 a proposal for a directive on the protection of the environment through criminal law in order to remedy the lack of sanctions' effectiveness resulting from the diversity of both definitions and sanctions in the different Member States. Most of the measures mentioned in the annulled decision of 2003 dealing with environmental crimes have been included in this draft. Despite the controversy which arose because most Member States considered that harmonising criminal law was not of the Community competence, and thus was seen as an unbearable interference with States' sovereignty, the draft proposal only provides harmonisation for what are seen as the most serious crimes and offences which include discharging hazardous substances into surface water likely to cause death or injury to persons or significant damage to the environment. Hazardous discharging of hydrocarbon, though not explicitly excluded from the scope of the draft directive, should yet be addressed in a distinct proposal aiming at modifying directive n° 2005/35 on ship-source pollution.

Exchanges of Supreme Court judges

As in 2005 and 2006, judges of the Supreme Courts will take part in the European Judicial authorities Exchange Programme, monitored by the European Judicial Training Network. The 25 selected judges have to speak fluently the language of the hosting country, so as to be able to work with their colleagues during two weeks. Writing a report is compulsory. The Secretary general of the Network, Dominique Hascher, will take part in the Opening of the 2007 exchange Programme in Brussels on March 19-21.

European Discussion Forum - Stuttgart- March 1st and 2

During the German Presidency of the EU, the 3rd European Discussion Forum is devoted to Coherence in Contract Law.

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Source URL: <https://reseau-presidents.eu/news/news-march-2007>