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**EU4Environment**  
Green Economy in Eastern Partner Countries

Capacity-building event

**Liability for environmental damage: From policy design to application**

### **DRAFT AGENDA**

**14 September 2022, 12h-16h15 CET**

**15 September 2022, 12h-15h20 CET**

**Virtually through ZOOM**

**Registration link:**

<https://meetoecd1.zoom.us/meeting/register/tJcudumoqDlpHte-wwdQ7Di4VI6dHqz1KMDN>

**Event web page:**

<https://www.eu4environment.org/events/liability-for-environmental-damage-from-policy-design-to-application/>

Please contact Olga Olson ([Olga.OLSON@oecd.org](mailto:Olga.OLSON@oecd.org)) or Mari Laikre ([Mari.LAIKRE@oecd.org](mailto:Mari.LAIKRE@oecd.org)) for more information.

Action implemented by:



## Liability for environmental damage: From policy design to application

14-15 September 2022

### Background

Polluters' liability for environmental damage they cause is a crucial component of the polluter pays principle. The European Union's 2007 Environmental Liability Directive (ELD) establishes financial responsibility of operators for environmental damage to biodiversity, land and water. An important component of the Directive is the obligation of operators to restore the damaged environment to its baseline condition and to bear the costs of remediation. In addition, the ELD requires Member States to encourage the development of financial security instruments and markets.

The focus of environmental liability legislation in the Eastern Partner countries has traditionally been on collecting monetary payments rather than prevention and remediation of environmental damage. The region moreover lacks a legal framework for financial security mechanisms. Association Agreements with the European Union have been promoting the transposition of the ELD in many countries of the region. For example, Georgia adopted an Environmental Liability Law in 2021.

### Meeting objectives, expected outputs and outcomes

The purpose of the meeting is to build capacity of regulators in Eastern Partner economies to develop and apply environmental liability legislation. It will focus on presenting the main components of the ELD, challenges and lessons learnt with its design and application in the EU Member States and in the Eastern Partner countries, and the development of financial security instruments.

### Participants

Participants will include representatives from environmental regulatory authorities and inspectorates of Eastern Partner and OECD countries, including IMPEL Members, and representatives of the OECD Secretariat.

The meeting is organised under the EU4Environment Programme. It falls under component 3.2 on Environmental Compliance Assurance and Liability Regimes, which seeks to strengthen environmental compliance assurance and enforcement systems and instruments in Eastern Partner countries at national and regional levels.

### About EU4Environment

The "European Union for Environment" (**EU4Environment**) aims to help the Eastern partner countries preserve their natural capital and increase people's environmental well-being, by supporting environment-related action, demonstrating and unlocking opportunities for greener growth, and setting mechanisms to better manage environmental risks and impacts.

The Action is funded by the European Union and implemented by five Partner organisations: OECD, UNECE, UNEP, UNIDO and the World Bank based on a budget of some EUR 20 million. The Action implementation period is 2019-2022.

For further information contact: [EU4Environment@oecd.org](mailto:EU4Environment@oecd.org)

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 Draft Agenda: Day 1
 

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Time	Item
<b>Day 1 (14 September)</b>	
<b>12h00-12h10</b>	<b>Item 1. Welcome and introductions</b> <ul style="list-style-type: none"> <li>• <b>Mr. Krzysztof Michalak</b>, Senior Programme Manager, Green Growth and Global Relations Division, OECD Environment Directorate</li> <li>• <b>Ms. Michaela Hauf</b>, Team Leader for Environmental and Climate Resilience and Connectivity, Directorate-General for Neighbourhood and Enlargement Negotiations (DG NEAR), European Commission</li> </ul>
<b>12h10-13h25</b>	<b>Item 2. Designing environmental liability legislation</b> <ul style="list-style-type: none"> <li>• <b>Mrs. Olga Kurpisz</b>, Legal and Policy Officer, Environmental Liability Directive, DG Environment, Compliance and Better Regulation, European Commission: <b>The main features of the Environmental Liability Directive and insights from the ongoing evaluation of its application</b> (tbc)</li> <li>• <b>Ms. Elena Stefanoni</b>, Environmental Governance Specialist, Vienna Program Office Secretariat of the Carpathian Convention: <b>Lessons learnt in approximating the ELD and other EU legislation</b></li> </ul> <p><i>Open discussion</i></p>
<b>13h25-13h40</b>	<b>Coffee break</b>
<b>13h40-14h35</b>	<b>Item 3. Designing environmental liability legislation in the Eastern Partner countries</b> <ul style="list-style-type: none"> <li>• <b>Ms. Olga Olson</b>, Project Manager, Green Growth and Global Relations Division, OECD Environment Directorate: <b>Environmental liability reforms in the Eastern Partner countries and ongoing support of EU4Environment Action</b></li> <li>• <b>Mr. Giorgi Mchedlishvili</b>, Head of the Water Division, Department of Environmental Damage Remedial Measures, LEPL National Environmental Agency: <b>Georgia's 2021 Law on Environmental Liability</b></li> <li>• <b>Representative</b> of the Ministry of Environment of Moldova/EcoContact NGO: <b>Updating environmental liability and damage assessment provisions in Moldova</b> (tbc)</li> </ul> <p><i>Open discussion</i></p>
<b>14h35-14h50</b>	<b>Coffee break</b>
<b>14h50-16h05</b>	<b>Item 4. Application and enforcement of environmental liability legislation</b> <ul style="list-style-type: none"> <li>• <b>Ms. Valerie Fogleman</b>, Consultant, Stevens &amp; Bolton LLP: <b>Overcoming challenges in applying and enforcing the ELD in EU countries</b></li> <li>• <b>Mrs. Stavroula Pouli</b>, Head of the Office for the Implementation of Environmental Liability; Ministry for the Environment, Energy and Climate Change of Greece; Member of the European Commission's Government Experts Group on Environmental Liability: <b>Enforcement of the ELD, case study of Greece</b></li> <li>• <b>Ms. Miljenka Kliček</b>, Head of the Regional Environmental and Water Inspection Service, Regional Office Varaždin, State Inspectorate of the Republic of Croatia: <b>Role of inspectors and overcoming challenges in applying liability legislation, case study of Croatia</b></li> <li>• <b>Mr. Dietmar Müller-Grabherr</b>, General Secretary, Common Forum on Contaminated Land in Europe and of the International Committee on</li> </ul>

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Contaminated Land (ICCL): **Considerations when applying environmental liability legislation to prevention and remediation of damage to land**

*Open discussion*

**16h05-16h15** *Item 5. Summary of the first day*

- **Ms. Angela Bularga**, Programme Manager, DG NEAR, European Commission
  - **Mr. Krzysztof Michalak**, Senior Programme Manager, Green Growth and Global Relations Division, OECD Environment Directorate
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## Draft Agenda: Day 2

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### Day 2 (15 September)

#### 12h00-12h05 **Item 1. Welcome and introductions**

- **Mr. Krzysztof Michalak**, Senior Programme Manager, Green Growth and Global Relations Division, OECD Environment Directorate

#### 12h05-13h40 **Item 2. Approaches and tools for environmental damage assessment**

- **Ms. Kim Bradley**, Specialist, Scottish Environment Protection Agency (SEPA): **Environmental damage assessment and financial provisions**
- **Mr. Marco Falconi**, Contaminated Sites Expert Researcher, ISPRA (Italian Institute for Environmental Protection and Research), Italy: **Assessment of environmental damage to land**
- **Mr. Jan Van den Berghe**, EU Forum of Judges for the Environment, Vice-president Court of East-Flanders, Belgium; **Ms. Farah Bouquelle**, Co-ordinator EU Forum of Judges for the Environment, teaching assistant Ghent University (tbc): **Findings of the BIOVAL project on valuing ecological damage**
- **Mr. Francesco Andreotti**, Senior Environmental Technologist for Environmental Damage Assessment, Italian Institute for Environmental Protection and Research (ISPRA); Project manager of the EU IMPEL network project “Criteria for the Assessment of Environmental Damage (CAED)”: **The IMPEL CAED project on ELD cases screening and assessment**

*Open discussion*

#### 13h40-13h55 **Coffee break**

#### 13h55-15h00 **Item 3. Practical exercise on assessment of environmental damage**

The practical exercise is moderated by **Mr. Francesco Andreotti**, Senior Environmental Technologist for Environmental Damage Assessment, ISPRA; Project manager of the EU IMPEL network project “Criteria for the Assessment of Environmental Damage (CAED)”.

#### 15h00-15h20 **Item 4. Conclusions and way forward**

- **Ms. Angela Bularga**, Programme Manager, DG NEAR, European Commission
  - **Mr. Krzysztof Michalak**, Senior Programme Manager, Green Growth and Global Relations Division, OECD Environment Directorate
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