

## Session III | Legal Issues | time available: 30 minutes

### Session-Mentor: Prof. Mike Elliott

#### 1) **Compensation and mitigation – Compulsory measures** (1x, Kristijan Čivić (III A))

- From your experience: What type of restoration measures in estuaries can be classified as obligatory standard measures?
- From your experience: Which measures count as compensatory measures for infrastructure projects?

#### 2) **Dealing with restoration measures: Change and the legal perspective** (2x, Prof. Mike Elliott (III B), Roger Morris (III C))

- May restoration measures lead to a change in European protective goods in a Natura 2000 area?
- How can this be dealt with from a legal perspective?

#### 3) **How effective must a compensatory measures be?** (2x, Bernd-Ulrich Netz (III D), Emma Hawthorne (III E))

- How specifically must a compensatory measure be stipulated?
- Examples: Where/why have compensatory measures not been able to fulfil their purpose?
- How should one react if the objective of the measure is not met? What is the legal framework? Who is to take action? (The project developer or the competent authority?)

#### 4) **The legal framework for “temporary nature” projects** (1x, Hendrik Schoukens (III F))

- “Temporary nature”: examples from the European countries
- What legal solutions have been found in the past?

#### 5) **Referring to current ECJ Judgements: Nature inclusive design of projects** (1x, Frank Neumann (III G))

- In case different types of measures are taken up in an integrated plan or nature inclusive design in relation to a plan or project for development, is it not safer to always implement article 6.4 HD or is it still possible to include mixed type of plans under 6.3 HD?