



European Union Network for the  
Implementation and Enforcement  
of Environmental Law

## Project Abstract

### Criteria for the Assessment of the Environmental Damage (CAED)



As part of its 2016-2020 Strategic Work Programme, the IMPEL Network set up this project in the environmental damage thematic area, concerning the criteria for the determination of the environmental damage and imminent threat of damage, called CAED - Criteria for the Assessment of the Environmental Damage.

The CAED project takes guidance on key terms and definitions of Environmental Damage as a springboard and focusses on the technical/administrative procedures necessary to make determination of Environmental Damage.

The project therefore builds on the ELD Multi Annual Rolling Work Programme and has strong links with the European Commissions publication, later in 2020, of guidance on environmental damage and imminent threat of environmental damage.

The ultimate goal of the project is to produce a guide proving criteria for the assessment of the environmental damage and imminent threat of damage under ELD national legislation of Member States, based on reference parameters relating to 'evidence' and to 'clue' of environmental damage or imminent threat of damage.

#### TARGET GROUPS

Competent authorities for environmental damage assessment and enforcement; industrial operators; environmental protection agencies; nature protection bodies; environmental inspectorates; environmental guard departments; environmental monitoring and research institutions; technical universities; environmental associations; NGOs; insurance companies and associations; environmental consultants

#### EU LEGISLATION

- [Directive 2004/35/CE on Environmental Liability](#)
- [Directive 79/409/EEC - Birds Directive](#)
- [Directive 92/43/EEC - Habitat Directive](#)
- [Directive 2000/60/EC - Water Framework Directive](#)
- [Directive 2008/56/EC - Marine Strategy Framework Directive](#)
- [Directive 2006/118/EC - Groundwater Protection](#)

#### PUBLICATION DATE

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The objective of this year's CAED project was to identify, both from a regulatory, practical and technological point of view, how the clues and the evidences of environmental damage and threats of damage can be detected, identified and evaluated.

This was done by the analysis of a collection of ascertainment practices of 32 'ELD cases' and 'non-ELD cases' across Member States to identify criteria to assess environmental damage and imminent threat of environmental damage.

Finally, this report provides an evaluation of guidance provided by some jurisdictions, with particular reference to the parts related to the determination of environmental damage.

## LINKS

- [IMPEL projects](#)

## KEY WORDS

- Environmental Liability Directive (ELD)
- Environmental Damage
- Threat of environmental damage
- Environmental crime
- Environmental investigations
- Environmental incidents
- Environmental non-compliance
- Environmental offences
- Eco-criminal acts
- Environmental crime