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- I.** 1. The provisions of Directive 2004/35/CE of the European Parliament and of the Council of 21 April 2004 on environmental liability with regard to the prevention and remedying of environmental damage shall be interpreted along with Articles 191 and 193 of the Treaty on the Functioning of the European Union, so that, if the case similar in the base case falls under the scope of Directive 2004/35 – which shall be examined by the court presenting the case – the national regulation just like the one in the base case shall not be in violation of the same, which establishes the joint responsibility of the owners of the lands as well as the economic players using the lands, where unlawful environmental damage is done, without requiring the proof of the casual connection between the behaviour of the owners and the established damage, provided that this regulation is harmonized with the general principles of EU law, and the relevant provisions of the Treaty of the European Union, the Treaty on the Functioning of the European Union, and the secondary legal acts of the EU.
2. Article 16 of Directive 2004/35 and Article 193 of the Treaty on the Functioning of the European Union shall be interpreted so that the si-tuation specified in the base case falls under the scope of Directive 2004/35, the national regulation, just like the one in the base case shall not be in violation of the same, according to which the owners of the lands, where unlawful environmental damage is done do not only have joint and several liability for such damage along with the economic players using these lands, but the competent national court can also impose a fine, provided that such regulation is suitable for the establishment of a more strict protection goal, and the detailed rules related to the sum of the fine do not exceed the extent necessary for the acquisition of such purpose, which shall be examined by the national court 1466
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**FORUM**