



**Aarhus Convention:
22th Working Group of the Parties (WGP22)
(Geneva, 19-21 June 2018)**

Contribution by the EU and its Member States

Agenda item 3(c): Access to justice

The EU and its Member States would like to thank the Secretariat and the Chair of the Task Force on Access to Justice for its work to date.

We take note of the outcomes of the eleventh meeting of the Task Force on Access to Justice (Geneva, 27–28 February 2018).

We welcome the progress of discussions made by the Task Force and the Secretariat and the outputs delivered by updating a study on the possibilities for non-governmental organizations (NGOs) promoting environmental protection to claim damages on behalf of the environment and finalizing a study on the scope of review in selected countries of Eastern and South-Eastern Europe, the Caucasus and Central Asia.

In relation to the follow-up to the Sixth session of the Meeting of the Parties held last September in Budva, we would like to take this opportunity to briefly update all Parties about the steps that we have taken since then with regard to the EU compliance issues highlighted in compliance case ACCC/C/2008/32.

The Council of the European Union has requested the Commission to submit a study on the Union's options for addressing the findings of the Aarhus Convention Compliance Committee in case ACCC/C/2008/32 to explore ways and means to comply with the Aarhus Convention in a way that is compatible with the fundamental principles of the Union legal order and with its system of judicial review. The study shall cover the legal, financial and human resources implications of different options, including amending the Aarhus Regulation. The Council has also requested the Commission to submit, if appropriate with a view to the outcomes of the study, a legislative proposal amending the Aarhus Regulation, or to inform the Council on other follow-up measures to the study.



The Commission has published a Roadmap outlining the follow-up it intends to give to the EU commitment in Budva. Accordingly, the Commission will evaluate the redress possibilities in environmental matters covered by EU law which are currently available both in EU courts and via national courts of its Member States, by way of a detailed external study. This study will allow to examine the functioning of the existing system, to identify the possible shortcomings and the options for addressing them and to assess their respective impacts. The Roadmap announces that an open public consultation will be conducted.

Finally, we would like to emphasize our full commitment towards the Aarhus Convention and our firm determination to keep on implementing it.
