



Green law group deeply worried about Commission actions

[Brussels, Oct 8th 2013] - Justice & Environment (J&E), an association of public interest environmental law organizations in the EU is extremely worried about the unclear communication of EC on the access to justice directive.

The European Commission had drafted the first public version of a directive on access to environmental justice in 2003. Progress on that draft has been halted by the Council to date. In 2012 and 2013, a new hope was raised that the directive would become part of the legislative package of the upcoming Councils and will be enacted in the near future.

This hope was shaken by the unclear wording of the Commission in a recent announcement saying that *“there are a number of proposals which the Commission will propose to withdraw. Seven proposals identified in this category include access to justice in the environmental field”*.

Nevertheless, the announcement still contains a footnote stating that *“the Commission will consider alternative ways of meeting its obligations under the Aarhus Convention and is conducting an impact assessment while awaiting an ECJ judgment”*.

Thomas Alge, Chairman of J&E critically pointed out:

“J&E has always been one of the biggest advocates of the long-awaited Access to Justice Directive. We have made impact assessments since 2007, prepared analytical studies and participated at EC Expert Group Meetings in addition to submitting position papers to the EC together with other G10, e.g. EEB. The Commission owes the civil society with a clear formulation of its intention and correct the wrongs that this blurred communication caused.

[...]

Although it is therefore not clear what the Commission exactly plans to undertake regarding the directive, J&E firmly believes that an EU

Directive is the best way to fulfill the EU's obligations under the Aarhus Convention. It would not only provide legal certainty and clarity to EU citizens and NGOs, but also create a level playing field for all parties concerned across the Union."

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