



Green Law Group Worried over Commission’s Withdrawal of Important Legislation

Will the upcoming EP election finally show green light for green justice?

[Brussels, May 23, 2014] – Justice & Environment, the leading green law group for the civil society in the EU is surprised that 10 years of preparations to fill the implementation gap led nowhere. Yesterday the Commission declared Access to Justice Directive proposal “obsolete”.

The EU ignores its respective legal obligations. There is no uniform legal framework in the EU on access to justice in environmental matters. In 2003, the Commission had made a proposal for an Access to Justice Directive, but Member States in the Council have paralyzed its adoption in the last decade. In the last two years the Commission has revived this proposal and made considerable efforts to achieve the adoption.

Thomas Alge, Chairman of Justice and Environment, commented the last development:

“Green justice is still neglected and after this decision we are uncertain if the problem will be solved within a reasonable time. Unless the new Commission will show different approach to the Access to Justice Directive, J&E will consider other ways, including legal remedies to make sure the EU complies with the Aarhus Convention, the major international legal instrument on environmental participatory rights.”

J&E, operating in 13 EU countries, is convinced that without an EU directive on access to environmental justice, a number of environmental injustices will persist. J&E member organizations are litigating cases in the Member States on a daily basis, involving infrastructure projects in Natura 2000 areas, killing of protected animals, coal-bases energy operations, etc. Unified EU rules for access to justice would ensure that anyone affected by environmental problems can ask for an independent and impartial body to make a binding decision on future project plans or prevailing pollutions. Without such a directive, the EU is missing a fundamental safeguard to become the “area of justice, freedom and security”.

Notes to editors:

1. The link to the OJ: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:C:2014:153:FULL&from=EN>
2. The Aarhus Convention is an international convention of the UNECE region on access to information, public participation and access to justice in environmental matters. [More info](#)

Justice and Environment (J&E) is an association of public interest environmental law organizations. The objective of J&E is to contribute to a better status of environment and human health in Europe where J&E is active through the use of law (European and national environmental laws) and the improvement of access to information, public participation and access to justice in environmental matters by legal means. To learn more visit <http://justiceandenvironment.org/>

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