

To: **Mr. Karmenu Vella**, Commissioner for the Environment, Maritime Affairs and Fisheries, European Commission  
Cc: **Ms. Catherine Day**, Secretary General, European Commission  
**Mr. Aurel Ciobanu Dordea**, Director (Implementation, Governance and Semester), DG Environment

Dear Commissioner Vella,

On 28 November, 2014 **Justice and Environment** (J&E) sent a letter to the above addressees in order to advocate for the adoption of a directive on access to justice in environmental matters.

J&E is a European Network of Environmental Law Organizations. J&E aims for better legislation and implementation of environmental law on the national and European Union (EU) stage to protect the environment, people and nature. For a long time, the **implementation of access rights** (of access to information, of public participation in decision-making and of access to justice in environmental matters) has been and still is in the center of our attention.

The answer received by J&E from the EC (dated 17 December, 2014, Ref. Ares (2014) 4255146) read – inter alia – as follows:

*“When reflecting on the value added and the structure of such initiative, the Commission intends to build on the lessons learned during the legislative debates around the 2003 proposal for a Directive on access to justice, in order to address the needs by also responding to the different views, suggestions and concerns expressed.”*

We have learned that the European Commission scheduled a decision-making for April 2015 on the method of regulating access to environmental justice in line with the Aarhus Convention. However, we have also learnt that **ultimately there was no decision made** as of yet on what way the Commission intends to govern this issue.

We therefore believe that there still is a window of opportunity to express our deep conviction that what Europe needs, is a binding directive.

We, as practicing environmental lawyers, again call the Commission and the Honorable Commissioner for the Environment, Maritime Affairs and Fisheries to **make specific steps in order to have a directive on access to justice adopted** in the foreseeable future.

We ask DG Environment again to **publish the current draft directive** it is working on and **involve environmental civil society organizations** into the actual textual drafting of the directive.

We ask you again personally to **make it one of your top priorities** in your first year of office to achieve the adoption of this directive and to make sure that EU law is in line with the requirements of the Aarhus Convention, a binding international treaty to which the EU is a party.

Dear Commissioner,

We thank you for your kind attention and are looking forward to receiving your kind answer as always, at your earliest convenience, including information how the EC is willing to fulfill the foregoing expectations.

Sincerely Yours,  
**Siim Vahtrus, Chairman, J&E**

