



Council of the
European Union

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'A' ITEM NOTE

From: General Secretariat of the Council
To: Council

Subject: Draft Council Decision on the position to be adopted, on behalf of the European Union, at the sixth session of the Meeting of the Parties to the Aarhus Convention regarding compliance case ACCC/C/2008/32
- Adoption

Statement by the Commission

Aarhus compliance

The Commission is fully committed to the principles and objectives of the Aarhus Convention, which guarantees, amongst others, access to justice in environmental matters. However, it regrets that the Council has not followed its *Proposal for a Council Decision on the position to be adopted, on behalf of the European Union, at the sixth session of the Meeting of the Parties to the Aarhus Convention regarding compliance case ACCC/C/2008/32*, namely to reject in this specific case the findings by the Aarhus Convention Compliance Committee which challenge the system of judicial protection under EU law.

Whilst the Commission's concerns were acknowledged by the Council, it agreed unanimously to amend the proposal.

The Commission will present the agreed position on behalf of the European Union at the Meeting of the Parties in Budva, Montenegro, in September 2017.

The Commission understands that, should the amendments proposed by the Union not be accepted by the Meeting of the Parties to the Aarhus Convention, the Union would vote against the decision of the Meeting of the Parties.

This is without prejudice to the Commission's right of initiative in accordance with the Treaty.

