

## Response statistics for 'Access to justice in environmental matters - options for improving access to justice at Member State level'

► Current search:

### Query definition

If Public authority:

National authority OR Regional or local authority OR National judges

### Result pages

► There are 9 responses matching your criteria of a total of 631 records in the current set of data.

► Expand all - Collapse all

☐ Sorted answers ☒ Original order

### Introductory questions

A. Please indicate the country where you reside or where your organisation is principally based:



-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Austria	0	(0%)	(0%)	(0%)
Belgium	1	(11.1%)	(0.2%)	(11.1%)
Bulgaria	0	(0%)	(0%)	(0%)
Cyprus	0	(0%)	(0%)	(0%)
Czech Republic	0	(0%)	(0%)	(0%)
Denmark	0	(0%)	(0%)	(0%)
Estonia	0	(0%)	(0%)	(0%)
Finland	0	(0%)	(0%)	(0%)
France	0	(0%)	(0%)	(0%)
Germany	4	(44.4%)	(0.6%)	(44.4%)
Greece	0	(0%)	(0%)	(0%)
Hungary	0	(0%)	(0%)	(0%)
Ireland	0	(0%)	(0%)	(0%)
Italy	0	(0%)	(0%)	(0%)
Latvia	0	(0%)	(0%)	(0%)
Lithuania	0	(0%)	(0%)	(0%)
Luxembourg	0	(0%)	(0%)	(0%)
Malta	0	(0%)	(0%)	(0%)
Netherlands	0	(0%)	(0%)	(0%)

Poland	1	(11.1%)	(0.2%)	(11.1%)
Portugal	0	(0%)	(0%)	(0%)
Romania	0	(0%)	(0%)	(0%)
Slovakia	0	(0%)	(0%)	(0%)
Slovenia	3	(33.3%)	(0.5%)	(33.3%)
Spain	0	(0%)	(0%)	(0%)
Sweden	0	(0%)	(0%)	(0%)
United Kingdom	0	(0%)	(0%)	(0%)
Rest of Europe	0	(0%)	(0%)	(0%)
Outside Europe	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

**B. To which one from the following categories do you belong?**

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Citizen	0	(0%)	(0%)	(0%)
 Organisation	0	(0%)	(0%)	(0%)
 Public authority	9	(100%)	(1.4%)	(100%)
N/A	0	-	(98.6%)	-

	Number of requested records	Requested records (9)	% of total number records (9)
Trans-European network or organisation of environmental professionals	0	(0%)	(0%)
National network or organisation of environmental professionals	0	(0%)	(0%)
Business	0	(0%)	(0%)
Business organisation representing collective interests	0	(0%)	(0%)
Environmental organisation	0	(0%)	(0%)
Academia	0	(0%)	(0%)
Other	0	(0%)	(0%)
	Number of requested records	Requested records (9)	% of total number records (9)
National authority	2	(22.2%)	(22.2%)
Regional or local authority	6	(66.7%)	(66.7%)
National judges	1	(11.1%)	(11.1%)
Other	0	(0%)	(0%)

D. Unless you specify otherwise, your contribution will be published on the Commission's website. Please indicate here if you wish your contribution to be anonymous for purposes of publication. For full information please see the Privacy Statement on the bottom.

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
You can publish this contribution as it is	5	(55.6%)	(0.8%)	(55.6%)
Please make this contribution anonymous	4	(44.4%)	(0.6%)	(44.4%)
N/A	0	-	(98.6%)	-

## Explanation of terms used in the Questions

(These are not legal definitions and serve only to aid understanding of the questionnaire).

**"Access to justice"** Ensuring effective redress for citizens and their associations, including environmental associations, by allowing them to challenge acts or omissions before a court of law or other independent and impartial body established by law. This involves broad access rights, with timely and not prohibitively expensive procedures, covering also injunctive relief, as appropriate.

**"Level playing field"**, means access to justice that ensures broadly equal rights and means for different actors in a possible conflict situation. From a cross-border perspective it means that the same minimum conditions for access to justice are made available in different Member States.

**"Non-judicial conflict resolution"**, sometimes referred to as **"alternative dispute resolution (ADR)"** means amicable ways of resolving disputes between opposing parties with the help of a third party (often referred to as a mediator) acting in a professional and impartial manner.

**"Not prohibitively expensive procedures"** means that the costs incurred by the parties to the proceedings should not be set a level that effectively deters or bars citizens and their associations from bringing legal challenges.

**"Legal certainty"** means that there is a clear legal framework, where all potential parties to litigation are aware of the full breadth of their rights and where legislation is in place on access to justice in environmental matters, so that decision-makers, including judges, have clear rules to rely upon, when resolving legal conflicts in the field.

**"Cost-effectiveness"** relates to means whereby access to justice can be combined with the avoidance of unnecessary costs for public administrations, including those responsible for access to justice.

**"Administrative burden"** relates to the burden faced by the private businesses and potential litigants due to the lack of streamlined administrative and judicial procedures to deal with access to justice.

**"Effective remedy"** is the action to be taken by the national court if it finds that there has been a procedural or substantive breach of EU environment law by a public authority or other party. This would mean in particular, revocation of consents given in breach of procedural or substantive requirements; interim measures, until a final decision is delivered on the subject (**injunctive relief**) and potentially ensure compensation for breaches of EU environment law.

**"Scope of review"** is the extent to which the national court will review a decision by an authority or a private party, in particular whether it will only look at the procedural legality of the decision or review the substance of the decision, and whether it will show deference to the decision or review the decision on the basis of its own assessment of the facts.

### A Importance of ensuring effective and efficient access to environmental justice in Member States

#### Question 1

How would you rank the importance of the following possible **advantages** of ensuring **effective and efficient access to justice in environmental matters** in Member States?

#### a) Reduction of administrative burden for stakeholders

-single choice reply- (**compulsory**)

Number of requested	Requested records	% of total number	% of total records
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	records	(9)	(631)	(9)
Very important	1	(11.1%)	(0.2%)	(11.1%)
Important	4	(44.4%)	(0.6%)	(44.4%)
Somewhat important	4	(44.4%)	(0.6%)	(44.4%)
Not important	0	(0%)	(0%)	(0%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

#### b) Level playing field between stakeholders and Member States

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	1	(11.1%)	(0.2%)	(11.1%)
Important	7	(77.8%)	(1.1%)	(77.8%)
Somewhat important	1	(11.1%)	(0.2%)	(11.1%)
Not important	0	(0%)	(0%)	(0%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

#### c) Ensuring cost-effectiveness for national, regional or local administrations, including those responsible for administration of courts and administration of similar bodies

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	3	(33.3%)	(0.5%)	(33.3%)
Important	2	(22.2%)	(0.3%)	(22.2%)
Somewhat important	3	(33.3%)	(0.5%)	(33.3%)
Not important	0	(0%)	(0%)	(0%)
No opinion	1	(11.1%)	(0.2%)	(11.1%)
N/A	0	-	(98.6%)	-

#### d) Ensuring legal certainty for stakeholders, such as citizens, their associations and business

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	6	(66.7%)	(1%)	(66.7%)
Important	2	(22.2%)	(0.3%)	(22.2%)
Somewhat important	1	(11.1%)	(0.2%)	(11.1%)
Not important	0	(0%)	(0%)	(0%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

#### e) Ensuring adequate protection for the environment and human health

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	5	(55.6%)	(0.8%)	(55.6%)
Important	4	(44.4%)	(0.6%)	(44.4%)

Somewhat important	0	(0%)	(0%)	(0%)
Not important	0	(0%)	(0%)	(0%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

## Question 2

How would you rank the importance of the following aspects of access to justice from the perspective of achieving overall **effective and efficient access to justice in environmental matters** in Member States?

### a) Ensure a right of access to national courts by individual citizens and associations

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	6	(66.7%)	(1%)	(66.7%)
Important	3	(33.3%)	(0.5%)	(33.3%)
Somewhat important	0	(0%)	(0%)	(0%)
Not important	0	(0%)	(0%)	(0%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

### b) Ensure an adequate scope of review by national courts

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	6	(66.7%)	(1%)	(66.7%)
Important	3	(33.3%)	(0.5%)	(33.3%)
Somewhat important	0	(0%)	(0%)	(0%)
Not important	0	(0%)	(0%)	(0%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

### c) Ensuring timely judicial procedures and avoiding undue delays

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	4	(44.4%)	(0.6%)	(44.4%)
Important	5	(55.6%)	(0.8%)	(55.6%)
Somewhat important	0	(0%)	(0%)	(0%)
Not important	0	(0%)	(0%)	(0%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

### d) Ensure that procedures before national courts are not prohibitively expensive

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	4	(44.4%)	(0.6%)	(44.4%)
Important	4	(44.4%)	(0.6%)	(44.4%)

Somewhat important	1	(11.1%)	(0.2%)	(11.1%)
Not important	0	(0%)	(0%)	(0%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

**e) Ensure that national courts apply effective remedies, including injunctive relief, to prevent damage to human health and the environment**

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	4	(44.4%)	(0.6%)	(44.4%)
Important	5	(55.6%)	(0.8%)	(55.6%)
Somewhat important	0	(0%)	(0%)	(0%)
Not important	0	(0%)	(0%)	(0%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

**Question 3**

How important is it to give broadly **the same rights** of access to environmental justice to individuals and to associations?

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	3	(33.3%)	(0.5%)	(33.3%)
Important	4	(44.4%)	(0.6%)	(44.4%)
Somewhat important	1	(11.1%)	(0.2%)	(11.1%)
Not important	1	(11.1%)	(0.2%)	(11.1%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

**Question 4**

How important is it to give broadly **the same rights** of access to environmental justice to litigants from the Member State concerned and to litigants from other Member States?

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	2	(22.2%)	(0.3%)	(22.2%)
Important	4	(44.4%)	(0.6%)	(44.4%)
Somewhat important	2	(22.2%)	(0.3%)	(22.2%)
Not important	0	(0%)	(0%)	(0%)
No opinion	1	(11.1%)	(0.2%)	(11.1%)
N/A	0	-	(98.6%)	-

**Question 5**

How important is it **for the following interests** to have a clear and predictable national legal framework for ensuring effective access to environmental justice?

**a) Public administrations in general**

-single choice reply- (compulsory)

Number of	Requested	% of total	% of total
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	requested records	records (9)	number records (631)	number records (9)
Very important	5	(55.6%)	(0.8%)	(55.6%)
Important	4	(44.4%)	(0.6%)	(44.4%)
Somewhat important	0	(0%)	(0%)	(0%)
Not important	0	(0%)	(0%)	(0%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

#### b) Courts and other administrations responsible for access to justice

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	6	(66.7%)	(1%)	(66.7%)
Important	2	(22.2%)	(0.3%)	(22.2%)
Somewhat important	1	(11.1%)	(0.2%)	(11.1%)
Not important	0	(0%)	(0%)	(0%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

#### c) The legal profession

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	4	(44.4%)	(0.6%)	(44.4%)
Important	3	(33.3%)	(0.5%)	(33.3%)
Somewhat important	1	(11.1%)	(0.2%)	(11.1%)
Not important	0	(0%)	(0%)	(0%)
No opinion	1	(11.1%)	(0.2%)	(11.1%)
N/A	0	-	(98.6%)	-

#### d) Local business

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	3	(33.3%)	(0.5%)	(33.3%)
Important	4	(44.4%)	(0.6%)	(44.4%)
Somewhat important	1	(11.1%)	(0.2%)	(11.1%)
Not important	0	(0%)	(0%)	(0%)
No opinion	1	(11.1%)	(0.2%)	(11.1%)
N/A	0	-	(98.6%)	-

#### e) Business located in other Member States

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	1	(11.1%)	(0.2%)	(11.1%)
Important	3	(33.3%)	(0.5%)	(33.3%)

Somewhat important	2	(22.2%)	(0.3%)	(22.2%)
Not important	1	(11.1%)	(0.2%)	(11.1%)
No opinion	2	(22.2%)	(0.3%)	(22.2%)
N/A	0	-	(98.6%)	-

#### f) Citizens and associations active in the environmental field

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	7	(77.8%)	(1.1%)	(77.8%)
Important	1	(11.1%)	(0.2%)	(11.1%)
Somewhat important	0	(0%)	(0%)	(0%)
Not important	0	(0%)	(0%)	(0%)
No opinion	1	(11.1%)	(0.2%)	(11.1%)
N/A	0	-	(98.6%)	-

#### g) Vulnerable members of the society that cannot easily protect themselves, such as children and people suffering from poor health or disability

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	5	(55.6%)	(0.8%)	(55.6%)
Important	1	(11.1%)	(0.2%)	(11.1%)
Somewhat important	0	(0%)	(0%)	(0%)
Not important	1	(11.1%)	(0.2%)	(11.1%)
No opinion	2	(22.2%)	(0.3%)	(22.2%)
N/A	0	-	(98.6%)	-

#### h) The environment

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	6	(66.7%)	(1%)	(66.7%)
Important	1	(11.1%)	(0.2%)	(11.1%)
Somewhat important	1	(11.1%)	(0.2%)	(11.1%)
Not important	0	(0%)	(0%)	(0%)
No opinion	1	(11.1%)	(0.2%)	(11.1%)
N/A	0	-	(98.6%)	-

#### i) Human health

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	5	(55.6%)	(0.8%)	(55.6%)
Important	2	(22.2%)	(0.3%)	(22.2%)
Somewhat important	1	(11.1%)	(0.2%)	(11.1%)
Not important	0	(0%)	(0%)	(0%)



No opinion	1	(11.1%)	(0.2%)	(11.1%)
N/A	0	-	(98.6%)	-

#### Question 6

How important is it to have a legal framework that is **clear and predictable** on the following aspects:

##### a) Standing of individuals

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	6	(66.7%)	(1%)	(66.7%)
Important	2	(22.2%)	(0.3%)	(22.2%)
Somewhat important	0	(0%)	(0%)	(0%)
Not important	0	(0%)	(0%)	(0%)
No opinion	1	(11.1%)	(0.2%)	(11.1%)
N/A	0	-	(98.6%)	-

##### b) Standing of associations

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	5	(55.6%)	(0.8%)	(55.6%)
Important	2	(22.2%)	(0.3%)	(22.2%)
Somewhat important	1	(11.1%)	(0.2%)	(11.1%)
Not important	0	(0%)	(0%)	(0%)
No opinion	1	(11.1%)	(0.2%)	(11.1%)
N/A	0	-	(98.6%)	-

##### c) Scope of review by the courts

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	5	(55.6%)	(0.8%)	(55.6%)
Important	2	(22.2%)	(0.3%)	(22.2%)
Somewhat important	1	(11.1%)	(0.2%)	(11.1%)
Not important	0	(0%)	(0%)	(0%)
No opinion	1	(11.1%)	(0.2%)	(11.1%)
N/A	0	-	(98.6%)	-

##### d) Costs of access to the courts

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	3	(33.3%)	(0.5%)	(33.3%)
Important	4	(44.4%)	(0.6%)	(44.4%)
Somewhat important	1	(11.1%)	(0.2%)	(11.1%)
Not important	0	(0%)	(0%)	(0%)
No opinion	1	(11.1%)	(0.2%)	(11.1%)

N/A	0	-	(98.6%)	-
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#### e) Remedies, including injunctive relief

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	5	(55.6%)	(0.8%)	(55.6%)
Important	3	(33.3%)	(0.5%)	(33.3%)
Somewhat important	0	(0%)	(0%)	(0%)
Not important	0	(0%)	(0%)	(0%)
No opinion	1	(11.1%)	(0.2%)	(11.1%)
N/A	0	-	(98.6%)	-

#### f) Timeliness of judicial proceedings

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	4	(44.4%)	(0.6%)	(44.4%)
Important	3	(33.3%)	(0.5%)	(33.3%)
Somewhat important	2	(22.2%)	(0.3%)	(22.2%)
Not important	0	(0%)	(0%)	(0%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

#### Question 7

How important is it to the following interests to have environmental access to justice that is **cost-effective** and keeps **administrative burden** to a minimum?

#### a) Public administrations generally

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	5	(55.6%)	(0.8%)	(55.6%)
Important	2	(22.2%)	(0.3%)	(22.2%)
Somewhat important	2	(22.2%)	(0.3%)	(22.2%)
Not important	0	(0%)	(0%)	(0%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

#### b) Courts and other administrations responsible for access to justice -single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	4	(44.4%)	(0.6%)	(44.4%)
Important	4	(44.4%)	(0.6%)	(44.4%)
Somewhat important	1	(11.1%)	(0.2%)	(11.1%)
Not important	0	(0%)	(0%)	(0%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

**c) The legal profession**

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	2	(22.2%)	(0.3%)	(22.2%)
Important	3	(33.3%)	(0.5%)	(33.3%)
Somewhat important	2	(22.2%)	(0.3%)	(22.2%)
Not important	1	(11.1%)	(0.2%)	(11.1%)
No opinion	1	(11.1%)	(0.2%)	(11.1%)
N/A	0	-	(98.6%)	-

**d) Local business**

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	3	(33.3%)	(0.5%)	(33.3%)
Important	3	(33.3%)	(0.5%)	(33.3%)
Somewhat important	2	(22.2%)	(0.3%)	(22.2%)
Not important	0	(0%)	(0%)	(0%)
No opinion	1	(11.1%)	(0.2%)	(11.1%)
N/A	0	-	(98.6%)	-

**e) Business located in other Member States**

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	1	(11.1%)	(0.2%)	(11.1%)
Important	3	(33.3%)	(0.5%)	(33.3%)
Somewhat important	2	(22.2%)	(0.3%)	(22.2%)
Not important	1	(11.1%)	(0.2%)	(11.1%)
No opinion	2	(22.2%)	(0.3%)	(22.2%)
N/A	0	-	(98.6%)	-

**f) Citizens and their associations active in the environmental field**

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	3	(33.3%)	(0.5%)	(33.3%)
Important	5	(55.6%)	(0.8%)	(55.6%)
Somewhat important	0	(0%)	(0%)	(0%)
Not important	0	(0%)	(0%)	(0%)
No opinion	1	(11.1%)	(0.2%)	(11.1%)
N/A	0	-	(98.6%)	-

**g) Vulnerable members of the society that cannot easily protect themselves, such as children and people suffering from poor health or disability**

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	5	(55.6%)	(0.8%)	(55.6%)
Important	1	(11.1%)	(0.2%)	(11.1%)
Somewhat important	0	(0%)	(0%)	(0%)
Not important	1	(11.1%)	(0.2%)	(11.1%)
No opinion	2	(22.2%)	(0.3%)	(22.2%)
N/A	0	-	(98.6%)	-

#### i) The environment

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	5	(55.6%)	(0.8%)	(55.6%)
Important	2	(22.2%)	(0.3%)	(22.2%)
Somewhat important	1	(11.1%)	(0.2%)	(11.1%)
Not important	0	(0%)	(0%)	(0%)
No opinion	1	(11.1%)	(0.2%)	(11.1%)
N/A	0	-	(98.6%)	-

#### Question 8

How important is to have forms of **non-judicial conflict resolution** in the environmental field that would provide for amicable out-of-court settlement of differences, with timely and not prohibitively expensive procedures?

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	2	(22.2%)	(0.3%)	(22.2%)
Important	4	(44.4%)	(0.6%)	(44.4%)
Somewhat important	1	(11.1%)	(0.2%)	(11.1%)
Not important	1	(11.1%)	(0.2%)	(11.1%)
No opinion	1	(11.1%)	(0.2%)	(11.1%)
N/A	0	-	(98.6%)	-

#### Question 9

How important is it to have **non-judicial conflict resolution** available in resolving disputes in the following sectors?

a) Nature

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	2	(22.2%)	(0.3%)	(22.2%)
Important	4	(44.4%)	(0.6%)	(44.4%)
Somewhat important	1	(11.1%)	(0.2%)	(11.1%)
Not important	1	(11.1%)	(0.2%)	(11.1%)
No opinion	1	(11.1%)	(0.2%)	(11.1%)
N/A	0	-	(98.6%)	-

b) Water				
-single choice reply- (compulsory)				
	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	3	(33.3%)	(0.5%)	(33.3%)
Important	4	(44.4%)	(0.6%)	(44.4%)
Somewhat important	1	(11.1%)	(0.2%)	(11.1%)
Not important	0	(0%)	(0%)	(0%)
No opinion	1	(11.1%)	(0.2%)	(11.1%)
N/A	0	-	(98.6%)	-

c) Waste				
-single choice reply- (compulsory)				
	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	3	(33.3%)	(0.5%)	(33.3%)
Important	2	(22.2%)	(0.3%)	(22.2%)
Somewhat important	1	(11.1%)	(0.2%)	(11.1%)
Not important	2	(22.2%)	(0.3%)	(22.2%)
No opinion	1	(11.1%)	(0.2%)	(11.1%)
N/A	0	-	(98.6%)	-

d) Air				
-single choice reply- (compulsory)				
	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	3	(33.3%)	(0.5%)	(33.3%)
Important	3	(33.3%)	(0.5%)	(33.3%)
Somewhat important	1	(11.1%)	(0.2%)	(11.1%)
Not important	1	(11.1%)	(0.2%)	(11.1%)
No opinion	1	(11.1%)	(0.2%)	(11.1%)
N/A	0	-	(98.6%)	-

e) Chemicals				
-single choice reply- (compulsory)				
	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	4	(44.4%)	(0.6%)	(44.4%)
Important	2	(22.2%)	(0.3%)	(22.2%)
Somewhat important	0	(0%)	(0%)	(0%)
Not important	2	(22.2%)	(0.3%)	(22.2%)
No opinion	1	(11.1%)	(0.2%)	(11.1%)
N/A	0	-	(98.6%)	-

## B. Options for ensuring effective access to justice in environmental matters

Questions in this section are aimed at seeking views on the different options for ensuring effective access to justice in environmental matters by the Commission within individual Member States, across the EU as a whole and in relation to a number of specific subject-areas.

#### Question 10

To what extent are you satisfied with the **current status** of access to environmental justice in your **own Member State**?

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very satisfied	0	(0%)	(0%)	(0%)
Satisfied	3	(33.3%)	(0.5%)	(33.3%)
Somewhat satisfied	2	(22.2%)	(0.3%)	(22.2%)
Not satisfied	3	(33.3%)	(0.5%)	(33.3%)
No opinion	1	(11.1%)	(0.2%)	(11.1%)
N/A	0	-	(98.6%)	-

#### Question 11

To what extent are you satisfied with the **current status** of access to environmental justice in **other Member States**?

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very satisfied	0	(0%)	(0%)	(0%)
Satisfied	2	(22.2%)	(0.3%)	(22.2%)
Somewhat satisfied	2	(22.2%)	(0.3%)	(22.2%)
Not satisfied	2	(22.2%)	(0.3%)	(22.2%)
No opinion	3	(33.3%)	(0.5%)	(33.3%)
N/A	0	-	(98.6%)	-

#### Question 12

On a scale of 1-3 (1 being a top priority activity, 3 being a lower level priority), which of the following actions and initiatives would you consider to be **most effective** in terms of ensuring **legal certainty and a level playing field** in the area of environmental access to justice across the EU?

##### a) Awareness-raising of stakeholders

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
1	3	(33.3%)	(0.5%)	(33.3%)
2	4	(44.4%)	(0.6%)	(44.4%)
3	2	(22.2%)	(0.3%)	(22.2%)
N/A	0	-	(98.6%)	-

##### b) Infringement action by the European Commission against the Member States

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
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1	3	(33.3%)	(0.5%)	(33.3%)
2	4	(44.4%)	(0.6%)	(44.4%)
3	2	(22.2%)	(0.3%)	(22.2%)
N/A	0	-	(98.6%)	-

### c) Adoption of specific rules on access to justice in EU legislation

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
1	6	(66.7%)	(1%)	(66.7%)
2	2	(22.2%)	(0.3%)	(22.2%)
3	1	(11.1%)	(0.2%)	(11.1%)
N/A	0	-	(98.6%)	-

### Question 13

How important is it that the **Council and the European Parliament** as co-legislators **have a role in shaping specific rules** on access to justice in environmental matters?

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	6	(66.7%)	(1%)	(66.7%)
Important	1	(11.1%)	(0.2%)	(11.1%)
Somewhat important	1	(11.1%)	(0.2%)	(11.1%)
Not important	0	(0%)	(0%)	(0%)
No opinion	1	(11.1%)	(0.2%)	(11.1%)
N/A	0	-	(98.6%)	-

### Question 14

How important are the following advantages of an EU legal instrument ensuring effective access to national courts in environmental matters?

#### a) Reduction of administrative burden for business

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	1	(11.1%)	(0.2%)	(11.1%)
Important	1	(11.1%)	(0.2%)	(11.1%)
Somewhat important	7	(77.8%)	(1.1%)	(77.8%)
Not important	0	(0%)	(0%)	(0%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

#### b) Level playing field between economic operators

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	2	(22.2%)	(0.3%)	(22.2%)
Important	5	(55.6%)	(0.8%)	(55.6%)
Somewhat important	2	(22.2%)	(0.3%)	(22.2%)

Not important	0	(0%)	(0%)	(0%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

#### c) Ensuring cost-effectiveness for national, regional or local administrations, including court administrations and the administrations of similar bodies

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	4	(44.4%)	(0.6%)	(44.4%)
Important	4	(44.4%)	(0.6%)	(44.4%)
Somewhat important	1	(11.1%)	(0.2%)	(11.1%)
Not important	0	(0%)	(0%)	(0%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

#### d) Ensuring legal certainty for stakeholders

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	7	(77.8%)	(1.1%)	(77.8%)
Important	2	(22.2%)	(0.3%)	(22.2%)
Somewhat important	0	(0%)	(0%)	(0%)
Not important	0	(0%)	(0%)	(0%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

#### e) Ensuring adequate protection for the environment and human health

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	8	(88.9%)	(1.3%)	(88.9%)
Important	1	(11.1%)	(0.2%)	(11.1%)
Somewhat important	0	(0%)	(0%)	(0%)
Not important	0	(0%)	(0%)	(0%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

#### Question 15

Do you have concerns that an EU legal instrument ensuring effective access to national courts in environmental matters would have the following disadvantages?

##### a) Not respecting the legal framework and legal traditions of the Member States

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very concerned	0	(0%)	(0%)	(0%)
Concerned	1	(11.1%)	(0.2%)	(11.1%)



Somewhat concerned	6	(66.7%)	(1%)	(66.7%)
Not concerned	2	(22.2%)	(0.3%)	(22.2%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

**b) Overloading the national court systems and increasing the burden on national, regional or local administrations, including court administrations and the administrations of similar bodies**

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very concerned	0	(0%)	(0%)	(0%)
Concerned	2	(22.2%)	(0.3%)	(22.2%)
Somewhat concerned	1	(11.1%)	(0.2%)	(11.1%)
Not concerned	6	(66.7%)	(1%)	(66.7%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

## C. Elements on which action at EU level is possible

Questions in this section are aimed at seeking views on the specific issues on which EU legislative action would be proportionate and appropriate to the objective of ensuring effective access to justice

### Question 16

How important is it to have EU legislative action on the following aspects of standing?

#### a) Standing of individuals

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	3	(33.3%)	(0.5%)	(33.3%)
Important	4	(44.4%)	(0.6%)	(44.4%)
Somewhat important	2	(22.2%)	(0.3%)	(22.2%)
Not important	0	(0%)	(0%)	(0%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

#### b) Standing of individuals from other Member States

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	3	(33.3%)	(0.5%)	(33.3%)
Important	3	(33.3%)	(0.5%)	(33.3%)
Somewhat important	1	(11.1%)	(0.2%)	(11.1%)
Not important	2	(22.2%)	(0.3%)	(22.2%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

**c) Standing of associations with legal personality**

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	2	(22.2%)	(0.3%)	(22.2%)
Important	7	(77.8%)	(1.1%)	(77.8%)
Somewhat important	0	(0%)	(0%)	(0%)
Not important	0	(0%)	(0%)	(0%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

**d) Standing of associations without legal personality (e.g., ad hoc associations)**

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	0	(0%)	(0%)	(0%)
Important	3	(33.3%)	(0.5%)	(33.3%)
Somewhat important	3	(33.3%)	(0.5%)	(33.3%)
Not important	3	(33.3%)	(0.5%)	(33.3%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

**e) Standing of associations from other Member States**

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	2	(22.2%)	(0.3%)	(22.2%)
Important	4	(44.4%)	(0.6%)	(44.4%)
Somewhat important	3	(33.3%)	(0.5%)	(33.3%)
Not important	0	(0%)	(0%)	(0%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

**f) Rules to avoid frivolous litigation**

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	2	(22.2%)	(0.3%)	(22.2%)
Important	4	(44.4%)	(0.6%)	(44.4%)
Somewhat important	3	(33.3%)	(0.5%)	(33.3%)
Not important	0	(0%)	(0%)	(0%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

**g) Rules making standing conditional upon previous participation in administrative proceedings**

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
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Very important	1	(11.1%)	(0.2%)	(11.1%)
Important	6	(66.7%)	(1%)	(66.7%)
Somewhat important	0	(0%)	(0%)	(0%)
Not important	1	(11.1%)	(0.2%)	(11.1%)
No opinion	1	(11.1%)	(0.2%)	(11.1%)
N/A	0	-	(98.6%)	-

#### Question 17

How important is it to have EU legislative action on the following aspects of review?

##### a) Rules defining the scope of review by the court

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	3	(33.3%)	(0.5%)	(33.3%)
Important	4	(44.4%)	(0.6%)	(44.4%)
Somewhat important	1	(11.1%)	(0.2%)	(11.1%)
Not important	0	(0%)	(0%)	(0%)
No opinion	1	(11.1%)	(0.2%)	(11.1%)
N/A	0	-	(98.6%)	-

##### b) Ability to raise arguments not used in a previous administrative procedure

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	1	(11.1%)	(0.2%)	(11.1%)
Important	4	(44.4%)	(0.6%)	(44.4%)
Somewhat important	1	(11.1%)	(0.2%)	(11.1%)
Not important	2	(22.2%)	(0.3%)	(22.2%)
No opinion	1	(11.1%)	(0.2%)	(11.1%)
N/A	0	-	(98.6%)	-

#### Question 18

How important is it to have EU legislative action on the following aspects of costs?

##### a) The effective prevention of “prohibitively expensive costs”

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	4	(44.4%)	(0.6%)	(44.4%)
Important	3	(33.3%)	(0.5%)	(33.3%)
Somewhat important	2	(22.2%)	(0.3%)	(22.2%)
Not important	0	(0%)	(0%)	(0%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

##### b) Costs of lawyers representing applicants

-single choice reply- (compulsory)

Number of Requested % of total % of total

	requested records	records (9)	number records (631)	number records (9)
Very important	3	(33.3%)	(0.5%)	(33.3%)
Important	0	(0%)	(0%)	(0%)
Somewhat important	3	(33.3%)	(0.5%)	(33.3%)
Not important	3	(33.3%)	(0.5%)	(33.3%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

#### c) Costs of lawyers representing defendants

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	2	(22.2%)	(0.3%)	(22.2%)
Important	0	(0%)	(0%)	(0%)
Somewhat important	3	(33.3%)	(0.5%)	(33.3%)
Not important	4	(44.4%)	(0.6%)	(44.4%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

#### d) Court fees

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	2	(22.2%)	(0.3%)	(22.2%)
Important	2	(22.2%)	(0.3%)	(22.2%)
Somewhat important	3	(33.3%)	(0.5%)	(33.3%)
Not important	2	(22.2%)	(0.3%)	(22.2%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

#### e) Costs of experts

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	4	(44.4%)	(0.6%)	(44.4%)
Important	2	(22.2%)	(0.3%)	(22.2%)
Somewhat important	1	(11.1%)	(0.2%)	(11.1%)
Not important	2	(22.2%)	(0.3%)	(22.2%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

#### f) The obligation to be represented by professional lawyers

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	1	(11.1%)	(0.2%)	(11.1%)
Important	3	(33.3%)	(0.5%)	(33.3%)

Somewhat important	2	(22.2%)	(0.3%)	(22.2%)
Not important	3	(33.3%)	(0.5%)	(33.3%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

#### Question 19

How important is it to have EU legislation on the following aspects of **remedies**?

##### a) Ability for the applicant to ask for preliminary injunction

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	3	(33.3%)	(0.5%)	(33.3%)
Important	4	(44.4%)	(0.6%)	(44.4%)
Somewhat important	2	(22.2%)	(0.3%)	(22.2%)
Not important	0	(0%)	(0%)	(0%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

##### b) Financial liability linked to preliminary injunctions

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	1	(11.1%)	(0.2%)	(11.1%)
Important	5	(55.6%)	(0.8%)	(55.6%)
Somewhat important	0	(0%)	(0%)	(0%)
Not important	1	(11.1%)	(0.2%)	(11.1%)
No opinion	2	(22.2%)	(0.3%)	(22.2%)
N/A	0	-	(98.6%)	-

##### c) Ability for the defendant to obtain consent for preliminary execution of works

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	1	(11.1%)	(0.2%)	(11.1%)
Important	5	(55.6%)	(0.8%)	(55.6%)
Somewhat important	0	(0%)	(0%)	(0%)
Not important	2	(22.2%)	(0.3%)	(22.2%)
No opinion	1	(11.1%)	(0.2%)	(11.1%)
N/A	0	-	(98.6%)	-

#### Question 20

How important is it to have EU legislation on the **timeliness** of judicial proceedings in environmental matters?

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	2	(22.2%)	(0.3%)	(22.2%)
Important	4	(44.4%)	(0.6%)	(44.4%)

Somewhat important	1	(11.1%)	(0.2%)	(11.1%)
Not important	2	(22.2%)	(0.3%)	(22.2%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

#### Question 21

On a scale of 1-5 (1 being a top priority activity, 5 being a lower level priority), which of the following actions and initiatives would you consider to be **most effective** in ensuring **non-judicial conflict resolution** in the environmental field in Member States?

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Awareness-raising and exchange of best practices	4	(44.4%)	(0.6%)	(44.4%)
Recommendation	1	(11.1%)	(0.2%)	(11.1%)
Modification of Directive (EC) No 2008/52 on certain aspects of mediation in civil and commercial matters	1	(11.1%)	(0.2%)	(11.1%)
Optional mechanism established in an EU legal instrument on access to justice in environmental matters	1	(11.1%)	(0.2%)	(11.1%)
Compulsory mechanism established in an EU legal instrument on access to justice in environmental matters	2	(22.2%)	(0.3%)	(22.2%)
N/A	0	-	(98.6%)	-

#### Question 22

How important is it to have EU legislation on access to justice in environmental matters under the form of a **Regulation** instead of a **Directive**?

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	3	(33.3%)	(0.5%)	(33.3%)
Important	3	(33.3%)	(0.5%)	(33.3%)
Somewhat important	0	(0%)	(0%)	(0%)
Not important	3	(33.3%)	(0.5%)	(33.3%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

#### Question 23

How important is it to collect and evaluate **data** at EU or national level on how access to justice in environmental matters functions in practice?

-single choice reply- (compulsory)

	Number of requested records	Requested records (9)	% of total number records (631)	% of total number records (9)
Very important	2	(22.2%)	(0.3%)	(22.2%)
Important	3	(33.3%)	(0.5%)	(33.3%)
Somewhat important	4	(44.4%)	(0.6%)	(44.4%)
Not important	0	(0%)	(0%)	(0%)
No opinion	0	(0%)	(0%)	(0%)
N/A	0	-	(98.6%)	-

**PRINT**