



**COUNCIL OF
THE EUROPEAN UNION**

GENERAL SECRETARIAT

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MEETING DOCUMENT

for:	Environment Council
on:	24 June 2005
Subject:	Proposal for a Directive of the European Parliament and of the Council on access to justice in environmental matters

Delegations will find attached a note from the Belgian delegation relating to the above proposal.

Note from the Belgian delegation

Belgium attaches particular significance to the "Access to justice" Directive, as the Belgian delegation has constantly pointed out since the Commission submitted its proposal in November 2003.

The current situation of Community environmental legislation undoubtedly shows that very significant progress has been achieved in this area, which has made a fundamental contribution to environmental protection at European Union level.

However, providing for legal rules at Community level is one thing; enforcing them in an efficient manner is another. It is essential that injured parties should be able to defend their rights effectively before administrative and judicial authorities, in particular if they are associations working in the field of environmental protection.

In this respect, national law logically plays a key role. Nonetheless, Belgium considers that establishing a minimal framework regarding access to justice is indispensable to ensure effective application of Community rules, in particular with a view to proper implementation of the Aarhus Convention.

Belgium notes with regret that this dossier must be put on hold for the time being, and hopes that the interruption will not last forever. Belgium would call on the next presidencies of the Council of the European Union to foster, in the near future, genuine policy debate in far greater depth than is the case today.

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