



2nd Stakeholder Meeting on Environmental Compliance and Governance

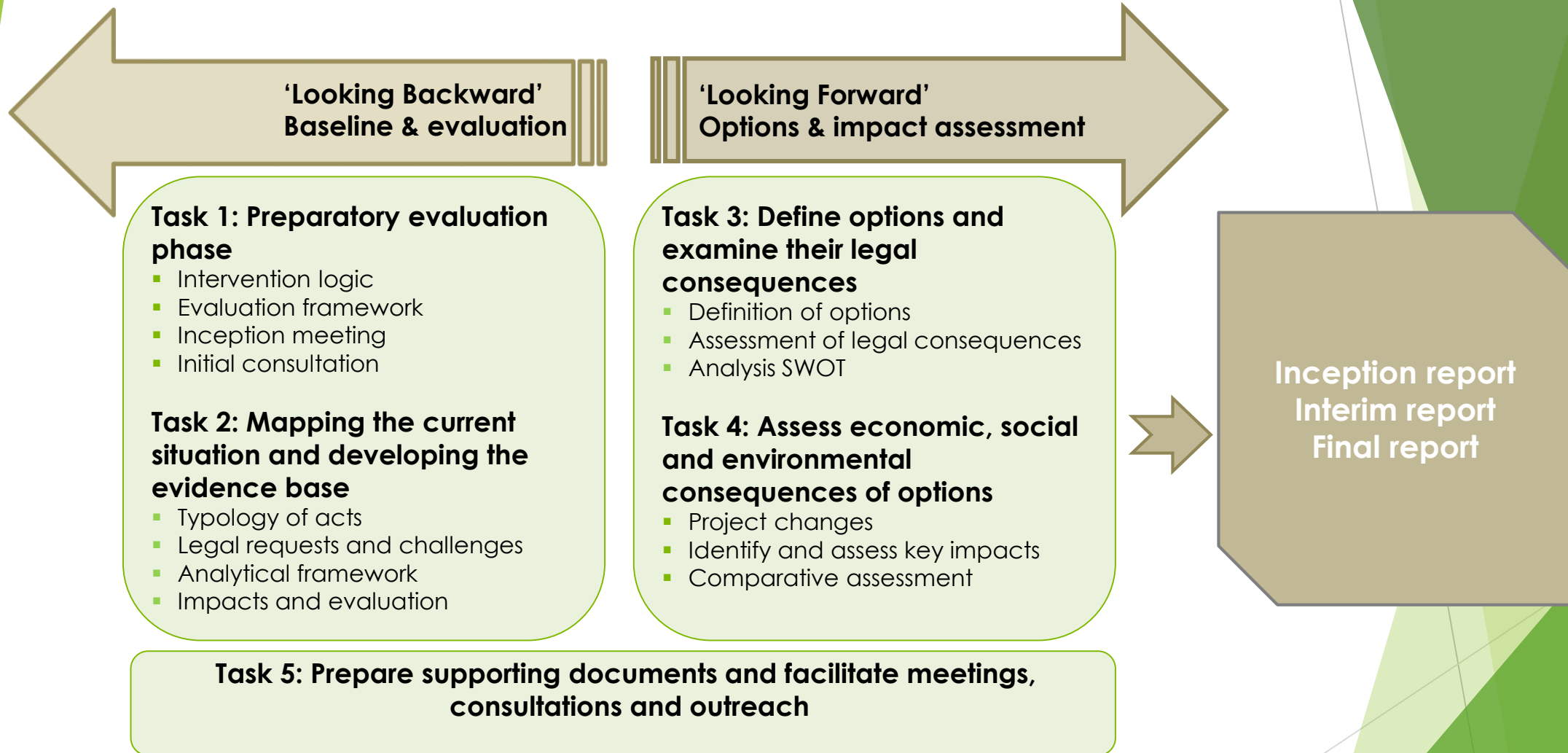
30 November 2018, Brussels, DG ENV

**Study on EU implementation of the Aarhus
Convention in the area of access to justice in
environmental matters**

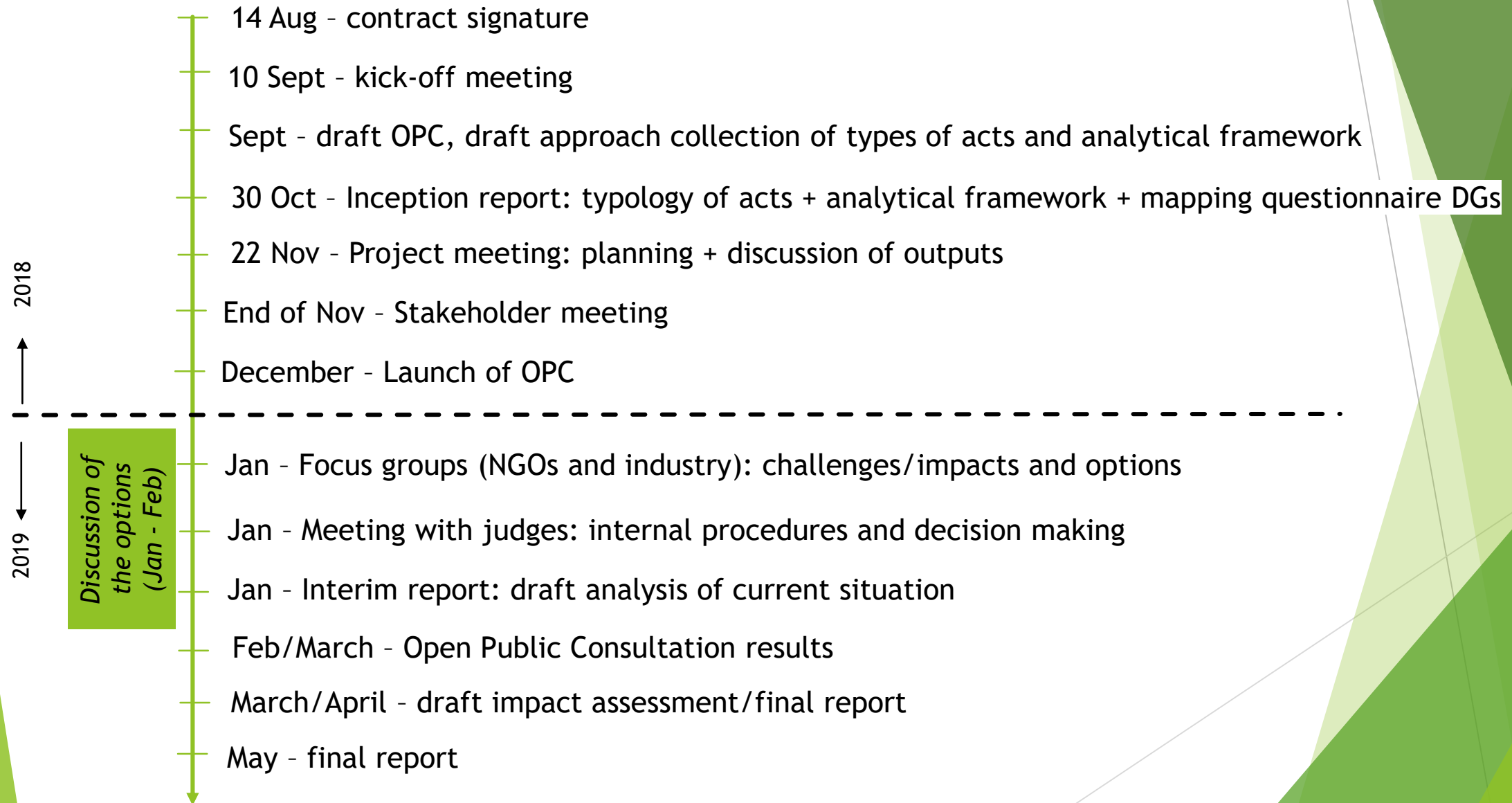
Project overview

Objectives of the project - ToR

- ▶ Carry out a diagnosis of the **current situation**:
 - ▶ presenting how administrative and judicial review functions at EU level, identifying gaps and assessing their impacts
- ▶ Define **options** to address the gaps identified
- ▶ Assess their **impacts**: economic, social environmental and fundamental rights
- ▶ Support Commission in involving **stakeholders**
 - ▶ ensuring transparency of the process and consideration of their views on the existing situation and the options



Study timeline



Task 1: Preparatory evaluation phase

- ▶ Intervention logic
- ▶ Indicators for understanding impacts
- ▶ Inception report - 25 October

Task 2: Mapping the current situation developing the evidence base

- ▶ Typology of acts
- ▶ Mapping of legal requests and challenges
- ▶ Analytical framework
- ▶ Impacts and ‘diagnosis’

Task 3: Define options and examine their legal consequences

- ▶ Definition of options
 - ▶ Criteria for analysis
- ▶ Assessment of legal consequences
- ▶ Analysis of effectiveness (SWOT)

Task 4: Assess the consequences of options from economic, social, fundamental rights and environmental point of view

- ▶ Projections of changes regarding options v current situation
- ▶ Identify and assess key impacts
- ▶ Comparative assessment

Open Public Consultation



Objectives of public consultation

- ▶ Gather opinions and evidence from a wide range of stakeholders
 - ▶ to inform the study about compliance with the Aarhus Convention on access to justice at EU level
- ▶ Complemented by other consultation activities (*e.g. mapping questionnaires, interviews, stakeholder meeting/focus groups, written feedback*)
- ▶ Relative high number of respondents is expected given the feedback on inception roadmap

Target audience for public consultation

- ▶ Introduction
 - ▶ about the consultation,
 - ▶ about respondent (9 questions)
- ▶ Part 1 - General questions (10 questions)
 - ▶ *Target audience: general public + stakeholders*
- ▶ Part 2 - specific questions (10 questions)
 - ▶ *Target audience: stakeholders with experience in a review procedure (administrative or judicial)*
- ▶ Open questions for respondents to explain their opinions

Content of draft questionnaire

- ▶ Introduction - about the consultation, information about respondent (9 questions)
- ▶ Part 1 - general questions (10 questions)
 - ▶ Opinions on access to justice in environmental matters
 - ▶ Awareness of means to challenge EU acts
- ▶ Part 2 - specific questions(10 questions)
 - ▶ Input on experience with mechanisms to review EU environmental acts (administrative and judicial review)
 - ▶ Problems with respect to the EU's implementation of Regulation and how they can be addressed in respondent's opinion

Analysis of consultation results

- ▶ Overview of respondents and their characteristics
- ▶ Quantitative analysis of replies according to sub-groups providing useful information:
 - ▶ By type of respondent (EU institution, NGO, business, etc...)
 - ▶ By familiarity with Aarhus Convention/Regulation
 - ▶ By awareness of the procedures
 - ▶ Other
- ▶ Qualitative analysis of replies to open questions
- ▶ Key findings into the synopsis report

Timeline for public consultation

- ▶ **October 2018:** Final draft questionnaire
- ▶ **November 2018:** Interservice consultation
- ▶ **December 2018 - February 2019:** OPC online
- ▶ **March 2019:** Analysis of responses received
- ▶ **March - April 2019:** Findings integrated into the study

Thank you

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