



2025/2374

1.12.2025

COUNCIL DECISION (EU) 2025/2374

of 4 November 2025

on the position to be taken on behalf of the European Union at the eighth session of the Meeting of the Parties to the Aarhus Convention regarding communications ACCC/C/2015/128 concerning access to justice regarding State aid decisions, ACCC/C/2013/96 concerning Projects of Common Interest, ACCC/C/2014/121 concerning Directive 2010/75/EU of the European Parliament and of the Council and ACCC/C/2010/54 concerning National Energy Action Plans

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(1), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 17 February 2005, the United Nations Economic Commission for Europe (UNECE) Convention on access to information, public participation in decision-making and access to justice in environmental matters ⁽¹⁾ (the 'Aarhus Convention') was approved on behalf of the European Community by Council Decision 2005/370/EC ⁽²⁾.
- (2) Pursuant to Article 15 of the Aarhus Convention, the Aarhus Convention Compliance Committee (the 'Compliance Committee') was established. The Compliance Committee is competent to review compliance by the Parties to the Aarhus Convention with their obligations under that Convention.
- (3) The Meeting of the Parties to the Aarhus Convention (the 'Meeting of the Parties'), during its eighth session, and the Joint High-level Segment under the Meeting of the Parties, taking place from 17 to 20 November 2025, are to adopt decision VIII/8e concerning compliance by the Union with its obligations under the Aarhus Convention, including the findings of the Compliance Committee in relation to communication ACCC/C/2015/128 in relation to access to justice in environmental matters regarding final State aid decisions and recommendations in decision VII/8f in relation to National Energy and Climate Plans, Projects of Common Interest and Directive 2010/75/EU of the European Parliament and of the Council ⁽³⁾. Where the findings of the Compliance Committee are adopted by the Meeting of the Parties as decisions, they become binding on the Parties to the Aarhus Convention.
- (4) Once adopted, decision VIII/8e will have legal effect. It is therefore appropriate to establish the position to be taken on the Union's behalf at the eighth session of the Meeting of the Parties,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf at the eighth session of the Meeting of the Parties to the Aarhus Convention (the 'Meeting of the Parties') concerning compliance by the Union with its obligations under the Convention on access to information, public participation in decision-making and access to justice in environmental matters (the 'Aarhus Convention') in relation to access to justice in environmental matters regarding final State aid decisions, as addressed in communication ACCC/C/2015/128, shall be to approve the adoption of draft decision VIII/8e as well as to welcome the report submitted by the Aarhus Convention Compliance Committee (the 'Compliance Committee') on request ACCC/M/2021/4 of the Meeting of the Parties concerning compliance by the Union.

⁽¹⁾ OJ L 124, 17.5.2005, p. 4, ELI: <http://data.europa.eu/eli/convention/2005/370/oj>.

⁽²⁾ Council Decision 2005/370/EC of 17 February 2005 on the conclusion, on behalf of the European Community, of the Convention on access to information, public participation in decision-making and access to justice in environmental matters (OJ L 124, 17.5.2005, p. 1, ELI: <http://data.europa.eu/eli/dec/2005/370/oj>).

⁽³⁾ Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial and livestock rearing emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p. 17, ELI: <http://data.europa.eu/eli/dir/2010/75/oj>).

Article 2

The position to be taken on the Union's behalf at the eighth session of the Meeting of the Parties concerning compliance by the Union with its obligations under the Aarhus Convention in relation to National Energy and Climate Plans (NECPs), Projects of Common Interest (PCIs) and Directive 2010/75/EU, as addressed in communications ACCC/C/2010/54, ACCC/C/2013/96 and ACCC/C/2014/121, respectively, and in decision VII/8f, shall be to approve the adoption of draft decision VIII/8e, if the following points are reflected in that draft decision:

- (a) in relation to NECPs, decision VIII/8e acknowledges and welcomes that the Union has made significant progress to ensure compliance with the Compliance Committee's findings and recommendations on communication ACCC/C/2010/54 in relation to Article 6(4) and Article 7 of the Aarhus Convention, and that the Union has complied with part of those findings as regards adoption of instructions for the purposes of point (a), paragraph 2 of decision VII/8f; and
- (b) in relation to PCIs, decision VIII/8e recognises the improvements made by the Union, through practical arrangements, to fulfil the requirements of points (a) and (b), paragraph 8 of decision VII/8f and to comply with Article 3(9), Article 6(8) and Article 7 of the Aarhus Convention.

Article 3

Minor changes to the positions referred to in Articles 1 and 2 may be agreed upon by representatives of the Union, in consultation with the Member States, during on-the-spot coordination meetings, without a further decision of the Council.

Article 4

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 4 November 2025.

For the Council

The President

S. LOSE
