



## Access to justice in environmental matters

If you are the victim of an environmentally damaging activity or if you are just a vigilant citizen who wants to protect the environment, it is useful to know your rights in either addressing a court of law or introducing a complaint to one of the competent national bodies, particularly if you are abroad. In practising these rights you can also ask for help with practical information from national authorities and organisations. In some cases it may be difficult to know what to do and whom to turn to. These fact sheets will provide you with a range of information on what you can expect in every country in the European Union.

The fact sheets on environmental access to justice are aimed at providing easily accessible rules on starting a review procedure before an independent court of law or an administrative body.

If you encounter, for example, an environmentally damaging activity or you are simply not provided with the procedural guarantees during a decision-making process (such as access to environmental information, environmental impact assessment or public participation), you may want to challenge this before a court of law or another independent body of law. In such cases it is useful to know the specific rules in each Member State on the rights for citizens and their groups in a review procedure.

Firstly in order to be able to challenge administrative acts, decisions and also omissions, it is important to know the rules giving access to courts, sometimes referred to as "locus standi" or "standing".

Secondly, if you have successfully filed an appeal before a court, it is also important to know that citizens and their groups are eligible to certain guarantees covering the *conditions of access* where an entitlement to challenge exists. This means, in particular, that the procedure for appeal should be concluded in a reasonable time-frame without undue delays and that parties to the proceedings cannot face prohibitively expensive procedures.

It is also useful to know that in the environmental sector, non-governmental organisations active in environmental protection also have privileged status in review procedures, playing their role of environmental watchdogs and as agents to defend the environment that cannot protect itself, since "the environment has no voice".

When identifying the best approach to following up an actual or potential environmental harmful action having an impact on, for example, a protected area or on the health of citizens, it is important to know that in certain cases specialized bodies such as prosecutors or ombudsman may be available to citizens who can file a complaint.

The following fact sheets will guide you through the most important steps of environmental proceedings in each Member State, explaining the rights you have and the basic rules you need to follow to exercise them. This information is not a substitute for legal advice and is intended to be for guidance only.

**Please select the relevant country's flag to obtain detailed national information.**

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