

To: Environment Ministers of EU Member States
Cc: Commissioners for Environment, Climate, Agriculture and Health and Consumer policy and the Chair of the European Parliament Environment Committee

Concerning: Input to the EU Environment Council Meeting, Brussels, 5 March 2018

Brussels, 23 February 2018

Dear Minister,

On behalf of the European Environmental Bureau, I am writing to share with you our views on some of the issues on the agenda of the forthcoming EU Environment Council. I invite you to take our concerns into account during final official level preparations as well as at the meeting itself.

1. Greening the European Semester and the Environmental Implementation Review

The EEB recognizes the potential importance of both the Greening the European Semester and the Environmental Implementation Review (EIR) processes. The Semester process can and should encourage sustainable development (SD) and support good governance principles through improved policy coherence. The Semester's contribution to SD has, however, been severely weakened in recent years. The EIR is critical in the drive to address the implementation deficit in the EU environmental acquis - significant implementation gaps exist in the areas of air quality, biodiversity, water quality and management, waste management, and noise. Improving implementation will bring important environmental, economic and social benefits, and increase the credibility of national and EU authorities with its citizens. Strong political support is needed to formulate and communicate country specific recommendations within these processes, as well as to engage in the national dialogues, peer-to-peer support activities and with the recent initiatives on environmental compliance and governance (COM/2018/10, and EC Decision C(2018)10).

The EEB therefore calls upon the Environment Council to:

- *Reiterate and increase the political commitment to the Greening of the European Semester process, and encourage measures to improve economic signals to enable the transition to a resource efficient, inclusive, circular economy that supports the sustainable development goals (SDGs);*
- *Recognise that the implementation deficit needs to be treated with continued urgency and high level political commitment to ensure a Europe where the rule of law is respected, and reap the benefits of action;*
- *Encourage that both the Greening the Semester and EIR processes build in public interests and engage with civil society organisations to ensure that citizens' voices are heard, benefit from their perspectives and engagement, and strengthen the effectiveness and legitimacy of the processes.*

See Annex 1 for more detailed comments.

2. EU strategy on plastics

The EEB welcomes the Commission's proposal for an EU Strategy on Plastics in a Circular Economy which contains a first and important outline of policies responding to the growing public awareness about the severe environmental pollution caused by our plastic usage. Priority measures tackling consumption of single use plastics and micro-plastics pollution, establishing minimum design requirements for plastics in products and packaging, and eliminating toxic substances in recycling streams require strong support and strict implementation efforts from EU Member States.

The EEB therefore calls upon the Environment Council to:

- *Support an EU-wide legal framework for defining ambitious reduction targets supported by specific bans, fees, or other actions on Single Use Plastics beyond packaging.*
- *Underpin the objective that all plastics packaging on the EU market should become reusable or recyclable by 2030 by enforcing essential design requirements and modulated fees in Extended Producer Responsibility (EPR) Schemes.*
- *Ensure strong provisions on toxic-free material streams or their strict decontamination at the end-of-life before introducing targets on minimum recycled content in new products.*

See Annex 2 for more detailed comments.

3. Interface between chemicals, products and waste legislation

The analysis provided by the European Commission clearly indicates that the current legal framework must be adapted to the challenges of a clean circular economy. Information gaps along supply chains, the presence of legacy chemicals and diverging standards place huge strains not only for recycling but even more for protecting people and the environment from exposure to hazardous substances. The regulatory situation today also drives up the costs of complying with legal requirements when using recovered materials and making virgin ones comparatively cheaper, safer and more reliable.

The EEB therefore calls upon the Environment Council to:

- *Support a legal framework that is not less protective of human health and the environment when materials are recovered from waste and when products are made of recovered materials;*
- *Call for legally binding requirements for full transparency on the chemical contents in products together with provisions for digital information sharing along supply chains;*
- *Develop EU harmonised end-of-waste criteria at least for the most important waste streams in terms of volume and risk to human health and the environment, giving priority to plastics.*

See Annex 3 for more detailed comments.

4. Monitoring Framework for the circular economy

The European Commission clearly states in its recent Communication that monitoring the implementation of the circular economy is crucial to understand its key success factors, assess the impact and effectiveness of policy actions and set new priorities for the future. Nonetheless, the EEB regrets that the proposal for a monitoring framework falls short in addressing key policy challenges for the transition towards a circular economy.

The EEB therefore calls upon the Environment Council to:

- Support the setting of an EU-wide headline target on resource productivity with an improvement goal of 30% by 2030 compared to a 2016 reference year;
- Ask for the development of a more binding, concrete and staged approach on the implementation of Green Public Procurement (GPP) criteria to boost market uptake of circular practices in Europe;
- Develop a clearer goal with corresponding policy measures to increase the contribution of recycled materials to the overall material demand in Europe.

See Annex 4 for more detailed comments.

5. CO₂ emissions for cars and light freight transport vehicles

The new proposal for post-2020 CO₂ standards for passenger cars and light commercial vehicles is the main instrument to reduce emissions from cars and vans and incentivize carmakers to produce and sell zero emission vehicles across the EU single market. It is also a key tool to help EU Member States achieve their demanding Effort Sharing goals for reducing Greenhouse Gas Emissions by 2030 and for Europe to meet its Paris Agreement commitments. Together with our partner organization Transport & Environment (T&E), the EEB would like to highlight that it is paramount for the post-2020 proposals to increase the ambition levels compared to the 2021 CO₂ targets in place today.

T&E and the EEB therefore call on the Environment Council to:

- As a priority, agree the new proposals by the end of 2018, so that the law can enter force before the EU elections in summer 2019;
- Strengthen the current Zero and Low Emission Vehicle bonus into an effective two-way adjustment mechanism that requires manufacturers to sell 20% of zero emission vehicles in 2025 and 40% to 60% in 2030;
- Introduce real-world CO₂ tests to complement the new laboratory procedure, avoiding another emissions cheating scandal and ensure vehicles are designed to perform on the road from the outset.

See Annex 5 for more detailed comments.

6. Invasive Alien Species of EU concern

The EU's Invasive Alien Species (IAS) Regulation 1143/2014 has the potential to make a significant and sustained contribution to reducing the threat posed by invasive alien species that Europe faces. Given the importance of the IAS Regulation in maintaining the EU's economic and ecological wellbeing, the EEB considers that efforts to implement the IAS Regulation should be stepped up.

The EEB therefore calls upon the Environment Council to:

- Give its full support to the Commission's proposed Delegated Act on the evidence criteria for including species on the IAS Regulation.
- Acknowledge the need to further increase the number of species on the EU's IAS List so that the list includes the species that pose the greatest threat to the EU, and which cover the broadest range of invasion pathways.

- *Recognise that more resources should be contributed to effectively implementing the Regulation so that the biosecurity threats from IAS are minimised.*

See Annex 6 for more detailed comments.

7. EU implementation of the Aarhus Convention

Although not on the formal agenda of the Environment Council, we wish to highlight to you the pressing issue of how the EU will follow up on the finding by the Aarhus Convention Compliance Committee that the EU is not in compliance with the Convention, due to the insufficient possibilities for the public to have access to justice at the level of the EU institutions. In September 2017, the EU succeeded in preventing the Convention's Meeting of the Parties (MoP) from endorsing the finding of non-compliance, breaking the longstanding tradition whereby all of the Committee's findings of non-compliance have been endorsed by the MoP, but only at a very high cost to the EU's reputation. In order to restore its credibility as a bloc that upholds democracy and the rule of law, the EU must now move swiftly to address the problem at the root of the non-compliance.

The EEB therefore calls upon Environment Ministers to:

- *Support the preparation and early adoption of a Council Decision requesting the Commission to come forward with a legislative proposal for revision of the so-called Aarhus Regulation with a view to bringing the EU back into compliance with the Convention.*

See Annex 7 for more detailed comments.

Thank you in advance for your consideration of these points.

Yours sincerely,



Jeremy Wates
Secretary General

ANNEX 1

EEB comments to the Environment Council of 5 March 2018 on: Greening the European Semester and the Environmental Implementation Review

In 2010, the European Commission launched the European Semester process to help coordinate economic policies across the EU, providing country-specific recommendations (CSRs) each year. 'Greening the European Semester' is part of this process, aiming to ensure that macro-economic policies are environmentally sustainable. Past CSRs have focused on, for example, improving economic signals through environmental tax reform and reforming environmentally harmful subsidies, as well as recommendations to encourage resource efficiency and a transition to a circular economy. The process has received less political attention in recent years, and this should be rectified.

In 2016, the Environmental Implementation Review (EIR) process was launched, responding to the recognition that the implementation of EU environmental acquis was proving a major challenge across many Member States, with significant implementation gaps in European environmental legislation in air quality, biodiversity, water quality and management, waste management, and noise. This implementation deficit leads to important environmental, economic and social costs, and reduces the credibility of national and EU authorities to its citizens. As with the European Semester, there is a regular analysis of state of progress in Member States and recommendations for action. There are also important national dialogues, and an initiative for peer-to-peer support across Member States, and initiatives on compliance assurance to address one key driver behind the implementation deficit - the 'EU actions to improve environmental compliance and governance' (COM/2018/10), and the EC Decision C(2018)10, establishing a new high-level expert group entitled the 'Environmental Compliance and Governance Forum'.

The Greening of the European Semester and the EIR processes support the European Commission's role as Guardian of the Treaties, support the better regulation objectives of policy coherence and respond to public interest. In the November 2017 Eurobarometer survey, 94% of respondents said that protecting the environment is important to them personally, and there was a high support for better enforcement of legislation (31%), the introduction of heavier fines for breaches of environmental legislation (34%) and introducing stricter environmental legislation (30%). The Grenfell tower fires, Dieselgate, Bialowieza Forest, and the Deepwater Horizon oil spills underline the need for better implementation and enforcement of EU and national laws.

The EEB therefore calls upon the Environment Council to:

- *Reiterate and increase the political commitment to the Greening of the European Semester process, and encourage measures to improve economic signals to enable the transition to a resource efficient, inclusive, circular economy that supports the sustainable development goals. Positive practice in transparently documenting and reforming environmental harmful subsidies should be encouraged. Similarly, continued efforts should be made to encourage wider environmental fiscal reform, supporting a move away from labour taxation towards taxation on natural resources, pollution and polluting products. And good practice in green public procurement should be rolled out across the EU. CSRs, peer-to-peer collaboration and capacity building to help support the institutional and stakeholder engagement necessary to achieve change are each needed.*

- *Recognise that the implementation deficit needs to be treated with continued urgency and high level political commitment to ensure a Europe where the rule of law is respected. Clarification as to institutional roles and responsibilities is important, their capacity to act should be supported, and the sanctions and fines for non compliance and wider environmental crimes need significant strengthening.*
- *Acknowledge the importance of the interactions of the environment with national economic and sectoral policies and priorities. This supports good governance and facilitates implementation. Targeted country specific recommendations should be made – for example to underline the importance of nature based solutions for national socio-economic priorities, such as rural viability through agro-ecology, local products and sustainable tourism, employment and ecosystem-based approaches to fisheries management, health benefits from access to Natura 2000 sites and green infrastructure.*
- *Encourage that the Greening the Semester and EIR processes build in public interests and engage with civil society organisations to ensure that citizens' voices are heard. This is important both for the legitimacy of the process, for identifying priority areas of focus, and developing the buy-in for implementation. Civil society engagement in country dialogues should be encouraged, and CSOs should be consulted as regards priorities for action so that the citizen perspective is duly integrated.*

ANNEX 2

EEB comments to the Environment Council of 5 March 2018 on: EU strategy on plastics

On 16 January 2018 the European Commission published its proposal for an EU Strategy on Plastics in a Circular Economy. The Communication contains a first and important outline of policies responding to the growing public awareness about the consequences of our plastic usage.

Introducing rather small fees on light-weight plastic carrier bags has already led to significantly less consumption in some EU Member States. This success should be replicated for other single use plastic items that are likely to pollute the environment. The EEB also supports the development of new measures to reduce the loss of fishing gear at sea, including possible recycling targets or deposit schemes to discourage dumping them.

Micro-plastic pollution needs to be tackled at source. While oxo-degradable plastics and intentionally added micro-plastic ingredients in detergents, cosmetics or paints could be addressed through EU wide restrictions under REACH, more complex solutions must be developed for e.g. for textiles, tyres or plastic pellets.

The EEB welcomes the intention behind the objective that all plastics packaging on the EU market should become reusable or recyclable by 2030. But the Commission must work together with EU Member States towards harmonized, mandatory and enforceable essential design requirements for packaging.

To close the loop, recycled plastics should be finally incorporated into new products. But the use of toxic plastic additives currently results in the presence of even banned highly toxic chemicals in children's toys and food contact materials due to recycling of contaminated material streams.

The EEB therefore calls upon the Environment Council to:

- *Support strong regulatory measures to reduce consumption of single-use plastic items that are particularly prone to polluting the environment. Building on the successful precedent of the Plastic Bags Directive, an EU wide legal framework for defining ambitious reduction targets supported by specific bans, fees, or other actions at national and local level should be implemented.*
- *Develop economic instruments to drive circularity of plastics at national level. Differentiated fees in Extended Producer Responsibility (EPR) schemes, deposit-return schemes or a potential plastic tax, if well designed and implemented in a stringent way, can put in place necessary incentives to prevent plastic pollution, as well as increase the reuse and recycling of plastic materials.*
- *Support the EU wide restriction of micro-plastic ingredients and oxo-degradable plastics under the REACH regulation. The Council should emphasise the importance that the main uses, in particular for consumer products and high volume applications, are tackled within the scope of the restriction proposal. Additional legislative action should address other sources of micro-plastics, such as pre-production pellet loss across the supply chain.*
- *Strengthen the reuse and recycling market potentials for plastics through ensuring clean material cycles. Targets for minimum recycled plastic content in new products must be paired with strong provisions on toxic-free material streams or their strict decontamination at the end-of-life.*

- *Revise the essential requirements for packaging design of the EU Packaging and Packaging Waste Directive to allow for prevention of over-packaging and reuse of packaging as the preferred options while reducing material complexity and avoiding hazardous additives preventing recycling.*
- *Call for broad implementation of minimum design requirements on plastic materials through Ecodesign, Green Public Procurement and Ecolabel instruments, supporting prevention, reusability and recyclability of plastic products and packaging.*

ANNEX 3

EEB comments to the Environment Council of 5 March 2018 on: Interface between chemicals, products and waste legislation

The European Commission published in 16 January 2018 the Communication and staff working document (SWD) on the implementation of the circular economy package: options to address the interface between chemical, product and waste legislation.

Although neither the Communication or the SWD outline any solution or conclusion on which are the best options for dealing with hazardous chemicals in products, waste and recycle materials, the documents acknowledge the current legal framework's shortcomings in guaranteeing a clean circular economy, including its failure to ensure that information on hazardous chemicals is properly passed along the material cycle, the problems caused by the legacy chemicals and different standards for virgin and recycled materials as well as inconsistent classification systems for substances and waste. These failures place a huge strain on the circular economy, not only by hindering the protection of people and the environment from the risks posed by hazardous chemicals but also by forcing up the costs of complying with legal requirements when using recovered materials and making virgin ones comparatively cheaper, safer and more reliable.

The EEB recommends that the current legal frameworks should be adapted to the challenges of a clean circular economy. Policymakers must become more active in avoiding hazardous chemicals from entering the economy in the first place and ensuring a non-toxic environment. This would better protect human health and the environment, but also facilitate the future use of recovered materials from waste and promote a safe and clean circular economy encouraging longer product lifetimes and reuse. Economic incentives to support toxic-free materials should also be explored, such as through the modulation of fees in Extended Producer Responsibility (EPR) schemes.

The EEB therefore calls upon the Environment Council to:

- *Defend a legal framework that ensures that human health and the environment are not less protected when materials are recovered from waste and when products are made of recovered materials. This means notably requiring appropriate decontamination of waste before it can be recovered and rejecting the possibility of more lenient threshold levels of hazardous contents when applied to recovered secondary raw materials compared to virgin primary raw materials. Strict requirements for verification and control processes are needed as well.*
- *Advocate for information on hazardous chemicals being properly passed along the material cycles, through legally binding requirements for full transparency on the chemical contents in all constituent components of products together with requirements for information sharing between all stakeholders in supply chains.*
- *Develop EU harmonised end-of-waste criteria at least for the most important waste streams in terms of volume and risk to human health and the environment, giving priority to plastics.*
- *Call for a broad definition of substances of concern. The most protective option is the combination of options 1A and 1B of the Commission's staff working document.*
- *Push for rules for classifying waste consistent with the rules outlined in the Regulation on the Classification, Labelling and Packaging of substances and mixtures (CLP Regulation), based on the intrinsic hazards of substances and mixtures in order to reducing uncertainties to the process and protecting health and environment.*

ANNEX 4

EEB comments to the Environment Council of 5 March 2018 on: Monitoring Framework for the Circular Economy

The EEB welcomes the European Commission's Communication on a Monitoring Framework for the Circular Economy, released on 16 January 2018 (COM(2018)29). As stated in this Communication, monitoring the implementation of the circular economy is crucial to understand its key success factors, assess the impact and effectiveness of policy actions and set new priorities for the future.

The Commission identifies "a significant potential for improvement" notably for monitoring efforts on waste reduction and uptake of recycled contents. It suggests developing harmonized robust methodologies to help in that direction, notably on food waste and calculation of recycling rates. Nonetheless, the EEB regrets that the proposal for a monitoring framework falls short in addressing key policy challenges for the transition towards a circular economy.

First of all, the Communication does not refer to the need for setting an EU wide headline target on resource productivity by 2030 that could drive Europe towards unleashing its full economic, social and environmental potentials. Despite referring to Green Public Procurement (GPP) as a key approach worth monitoring with a dedicated indicator, the Communication does not contain a specific target and method for tracking GPP practices of the EU institutions as well as for national authorities. It is clear today that the existing, mere indicative objective of 50% of all public tenders in the EU to incorporate at least some GPP criteria has not led to sufficient actions on using procurement as a strategic tool to promote more circular and sustainable products and services on the European market.

The proposed monitoring concept also does not define objectives to promote the uptake of recycled materials and increase the contribution of recycled materials to the overall raw material demand in Europe. This seems a missed opportunity particularly in the context of the Chinese ban on waste import and the necessity to boost the recyclability and quality recycling of materials in Europe. Finally, the Commission Communication fails to outline possibilities to better integrate macro-economic data on raw material flows with data on related environmental impacts that could be used at sector, company or even product level.

The EEB therefore calls upon the Environment Council to:

- *Support the setting of an EU-wide headline target on resource productivity with an improvement goal of 30% by 2030 compared to a 2016 baseline;*
- *Ask for a binding and staged target on implementation of circular economy-relevant Green Public Procurement (GPP) criteria to replace the purely indicative objective that we have today, as a way to boost uptake of sustainable and circular practices in Europe;*
- *Develop a clearer political goal on the contribution of recycled materials to the overall material demand, acting through the reduction of the overall demand for materials, the setting of recyclability requirements for products and materials placed on the EU market and incentivising the uptake of quality recycled materials in new products placed on the EU market;*
- *Define a more comprehensive and integrative system of indicators to monitor the Circular Economy that could be adapted to measure progress for specific economic sectors, companies and/or products & services, combining macro-economic data with environmental footprint information.*

ANNEX 5

T&E and EEB comments to the Environment Council of 5 March 2018 on: CO₂ emissions for cars and light freight transport vehicles

Road transport is one of the main sources of air pollution in urban areas across Europe, and it is also the EU's biggest climate problem with CO₂ emissions in particular from cars and vans not decreasing despite the existing legislation. The new proposal for post-2020 CO₂ standards for passenger cars and light commercial vehicles is the main instrument to reduce emissions from cars and vans and incentivize carmakers to produce and sell zero emission vehicles across the EU single market. It is also a key tool to help EU member states achieve their demanding Effort Sharing goals by 2030 and for Europe to meet its Paris Agreement commitments. In this light, it is paramount for the post-2020 proposals to increase the ambition levels compared to the 2021 CO₂ targets in place today.

T&E and EEB therefore call on the Environment Council to:

- *As a priority, agree the new proposals by the end of 2018, so that the law can enter force before the EU elections in summer 2019;*
- *Support the binding 2025 CO₂ standards for new cars and vans and increase the ambition levels to 25% reduction in order to accelerate efficiency improvements across fleets and stimulate timely EU investments in alternative zero emission power-trains;*
- *Strengthen the current Zero and Low Emission Vehicle bonus into an effective two-way adjustment mechanism that requires manufacturers to sell 20% of zero emission vehicles in 2025 and 40% to 60% in 2030;*
- *In the absence of an ambitious agreement on the 2030 CO₂ reduction target for new cars and vans, introduce an ambitious range of at least 40-60% by 2030 for new cars and vans, subject to an early review in 2022 to confirm the final target which must be in line with the EU's overall climate goals; and*
- *Introduce real-world CO₂ tests to complement the new laboratory procedure, avoiding another emissions cheating scandal and ensure vehicles are designed to perform on the road from the outset.*

ANNEX 6

EEB comments to the Environment Council of 5 March 2018 on: Invasive Alien Species (IAS) of EU Concern

Official figures estimate that invasive alien species (IAS) cost the EU's economy over €12.5 billion every year. IAS are also one of the greatest drivers of species extinction, being a significant contributor to the EU's current biodiversity crisis.

The EU's IAS Regulation 1143/2014 has the potential to make a significant and sustained contribution to reducing the IAS threat that Europe faces. The initial implementation of the IAS regulation shows great promise and the EEB celebrates the crucial contribution that the IAS Regulation has so far made towards achieving Target 5 of the EU's Biodiversity Strategy.

However, the rate of implementation must not only be maintained but exceeded if the full benefits of the Regulation are to be fully realised. Given the importance of the IAS Regulation in maintaining the EU's economic and ecological wellbeing, the EEB considers that further effort should be made to support and strengthen the IAS Regulation's implementation.

The EEB therefore calls upon the Environment Council to:

- *Give its full support to the Commission's proposed Delegated Act on the evidence criteria for including species on the IAS Regulation;*
- *Acknowledge the need to further increase the number of species on the EU's IAS List so that the list includes the species that pose the greatest threat to the EU, and which cover the broadest range of invasion pathways;*
- *Recognises that more resources should be contributed to effectively implementing the Regulation so that the biosecurity threats from IAS are minimised.*

ANNEX 7

EEB comments to the Environment Council of 5 March 2018 on: EU implementation of the Aarhus Convention

The EU is currently in breach of the Aarhus Convention, the UN's flagship treaty on environmental democracy, due to the very limited possibilities for NGOs to have access to justice at the EU level. This was the [finding](#) reached by the Convention's Compliance Committee in March 2017, after extensive and detailed consideration of a communication (complaint) that was submitted to it in 2008.

In response to the finding, the Commission, which was clearly keen to minimise the possibilities for NGOs to challenge its decisions before the Court of Justice of the European Union, initially [proposed](#) that the Convention's governing body, the Meeting of the Parties (MOP), should reject the finding of non-compliance. Fortunately the idea of rejecting the finding was itself unanimously rejected by the EU Member States. However, the resulting compromise that emerged in a [Council Decision](#) in July 2017 was nonetheless very problematic and still involved the EU opposing endorsement of the finding of non-compliance by the MoP (according to the EU proposal, the MoP would only 'take note' of the finding). This would have overturned the longstanding practice whereby, since its establishment in 2002, all of the Committee's findings of non-compliance have been endorsed by the MoP, with the full support of the EU. The EU also sought to weaken the force of the MoP recommendations and remove certain references to its jurisprudence, in ways that would have set similarly bad precedents.

At the Aarhus MOP in Montenegro in September 2017, the EU position was widely and severely criticized by non-EU Parties as well as by NGOs, with not a single other Party or stakeholder supporting it. A stand-off ensued and the entire issue was put off until the MoP convenes again in 2021. The EU's credibility was severely damaged in the process. Essentially, it showed that it was willing to jeopardize the progress towards democratization triggered by the Aarhus Convention in the continent, including in Eastern Europe and Central Asia, for the sake of defending the lack of public accountability of its institutions, and in particular the Commission.

Looking ahead, it is of crucial importance that the EU takes steps without delay to address the problem at the root of the non-compliance that was correctly identified by the Committee, namely the fact that except in access to documents cases, environmental NGOs have virtually no access to the Court of Justice of the EU to challenge the acts and omissions of the EU institutions. Specifically, the Commission should initiate the process of revising the Aarhus Regulation forthwith, in particular to remove the limitation on the administrative acts that may be challenged to 'measures of individual scope under environmental law'. To this end, the Council should invoke Article 241 of the Treaty on the Functioning of the European Union to call on the Commission to take the necessary measures to address the problem. The [Inter-Institutional Agreement on Better Law-Making](#) as updated in May 2016 obliges the Commission to give prompt and detailed consideration to such requests (para. 10).

The EEB therefore calls upon the Environment Council to:

- *Support the preparation and early adoption of a Council Decision requesting the Commission, in accordance with Article 241 of the Treaty on the Functioning of the European Union, to come forward with a legislative proposal for revision of the so-called Aarhus Regulation with a view to bringing the EU back into compliance with the Convention.*