

Researching the applicability of the legal instrument of
Request for Internal Review
under the amended Aarhus Regulation

8 May 2023

Monthly report on European Community institutions' administrative acts

In the period of

1-30 April 2023

the following administrative acts of European Community institutions were considered as eligible against which the Request for Internal Review under the amended Aarhus Regulation¹ is applicable:

OJ number	Date of publication	Act number	Act title	Eligible	Reason
C 123/12	5.4.2023	2023/C 123/10	State aid – Decision to raise no objections	not	it is an administrative act in the meaning of the Aarhus Regulation, but it relates to state aid
C 125/23	5.4.2023	2023/C 125/02	New EU forest strategy for 2030 — Sustainable Forest Management in Europe European Parliament resolution of 13 September 2022 on a new EU Forest Strategy for 2030 — Sustainable Forest Management in Europe (2022/2016(INI))	unclear	it is an administrative act in the meaning of the Aarhus Regulation, but its legal effect is debatable

¹ Article 2(1), point (g) reads as follows:

(g) 'administrative act' means any non-legislative act adopted by a Union institution or body, which has legal and external effects and contains provisions that may contravene environmental law within the meaning of point (f) of Article 2(1);

			Consequences of drought, fire, and other extreme weather phenomena: increasing EU's efforts to fight climate change		
C 125/135	5.4.2023	2023/C 125/12	European Parliament resolution of 15 September 2022 on the consequences of drought, fire, and other extreme weather phenomena: increasing the EU's efforts to fight climate change (2022/2829(RSP))	unclear	it is an administrative act in the meaning of the Aarhus Regulation, but its legal effect is debatable
C 131/5	14.4.2023	2023/C 131/04	Authorisation for State aid pursuant to Articles 107 and 108 of the Treaty on the Functioning of the European Union Cases where the Commission raises no objections	not	it is an administrative act in the meaning of the Aarhus Regulation, but it relates to state aid
C 131/6	14.4.2023	2023/C 131/05	Authorisation for State aid pursuant to Articles 107 and 108 of the Treaty on the Functioning of the European Union Cases where the Commission raises no objections	not	it is an administrative act in the meaning of the Aarhus Regulation, but it relates to state aid
C 131/9	14.4.2023	2023/C 131/08	Authorisation for State aid pursuant to Articles 107 and 108 of the Treaty on the Functioning of the European Union Cases where the Commission raises no objections	not	it is an administrative act in the meaning of the Aarhus Regulation, but it relates to state aid
C 131/11	14.4.2023	2023/C 131/10	Authorisation for State aid pursuant to Articles 107 and 108 of the Treaty on the Functioning of the European Union Cases where the Commission raises no objections	not	it is an administrative act in the meaning of the Aarhus Regulation, but it relates to state aid
C 132/2	14.4.2023	2023/C 132/01	Striving for a sustainable and competitive EU aquaculture: the way forward European Parliament resolution of 4 October 2022 on striving for a sustainable and competitive EU aquaculture: the way forward (2021/2189(INI))	unclear	it is an administrative act in the meaning of the Aarhus Regulation, but its legal effect is debatable

C 132/41	14.4.2023	2023/C 132/05	<p>Key objectives for the CITES CoP19 meeting in Panama</p> <p>European Parliament resolution of 5 October 2022 on the EU strategic objectives for the 19th meeting of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), to be held in Panama from 14 to 25 November 2022 (2022/2681(RSP))</p>	unclear	it is an administrative act in the meaning of the Aarhus Regulation, but its legal effect is debatable
C 132/54	14.4.2023	2023/C 132/06	<p>Access to water as a human right — the external dimension</p> <p>European Parliament resolution of 5 October 2022 on access to water as a human right — the external dimension (2021/2187(INI))</p>	unclear	it is an administrative act in the meaning of the Aarhus Regulation, but its legal effect is debatable
C 132/65	14.4.2023	2023/C 132/07	<p>The EU's response to the increase in energy prices in Europe</p> <p>European Parliament resolution of 5 October 2022 on the EU's response to the increase in energy prices in Europe (2022/2830(RSP))</p>	unclear	it is an administrative act in the meaning of the Aarhus Regulation, but its legal effect is debatable
C 132/106	14.4.2023	2023/C 132/15	<p>Momentum for the Ocean: strengthening Ocean Governance and Biodiversity</p> <p>European Parliament resolution of 6 October 2022 on momentum for the ocean: strengthening ocean governance and biodiversity (2022/2836(RSP))</p>	unclear	it is an administrative act in the meaning of the Aarhus Regulation, but its legal effect is debatable
C 135/10	18.4.2023	2023/C 135/03	<p>Summary of European Commission Decisions on authorisations for the placing on the market for the use and/or for use of substances listed in Annex XIV to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)</p>	yes	it is an administrative act in the meaning of the Aarhus Regulation

C 135/11	18.4.2023	2023/C 135/04	Summary of European Commission Decisions on authorisations for the placing on the market for the use and/or for use of substances listed in Annex XIV to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)	yes	it is an administrative act in the meaning of the Aarhus Regulation
L 105/51	20.4.2023	COMMISSION IMPLEMENTING DECISION (EU) 2023/836 of 11 April 2023	amending Implementing Decision (EU) 2022/2333 concerning certain emergency measures relating to sheep pox and goat pox in Spain	yes	it is an administrative act in the meaning of the Aarhus Regulation
C 137/3	20.4.2023	2023/C 137/03	No state aid within the meaning of Article 61(1) of the EEA Agreement	not	it is an administrative act in the meaning of the Aarhus Regulation, but it relates to state aid
C 137/4	20.4.2023	2023/C 137/04	State aid – Decision to raise no objections	not	it is an administrative act in the meaning of the Aarhus Regulation, but it relates to state aid
C 139/6	21.4.2023	2023/C 139/05	Authorisation for State aid pursuant to Articles 107 and 108 of the Treaty on the Functioning of the European Union Cases where the Commission raises no objections	not	it is an administrative act in the meaning of the Aarhus Regulation, but it relates to state aid
L 110/21	25.4.2023	DECISION (EU) 2023/852 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 19 April 2023	amending Decision (EU) 2015/1814 as regards the number of allowances to be placed in the market stability reserve for the Union greenhouse gas emission trading system until 2030	yes	it is an administrative act in the meaning of the Aarhus Regulation

L 113/49	28.4.2023	COMMISSION IMPLEMENTING DECISION (EU) 2023/872 of 20 April 2023	amending Implementing Decision (EU) 2022/2333 concerning certain emergency measures relating to sheep pox and goat pox in Spain	yes	it is an administrative act in the meaning of the Aarhus Regulation
C 149/2	28.4.2023	2023/C 149/01	Active substances, including 8-hydroxyquinoline, chlorotoluron and difenoconazole European Parliament resolution of 18 October 2022 on Commission Implementing Regulation (EU) 2022/1480 of 7 September 2022 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances 2-phenylphenol (including its salts such as the sodium salt), 8-hydroxyquinoline, amidosulfuron, bensulfuron, bifenox, chlormequat, chlorotoluron, clofentezine, clomazone, daminozide, deltamethrin, dicamba, difenoconazole, diflufenican, dimethachlor, esfenvalerate, etofenprox, fenoxaprop-P, fenpropidin, fenpyrazamine, fludioxonil, flufenacet, flumetralin, fosthiazate, lenacil, MCPA, MCPB, nicosulfuron, paraffin oils, paraffin oil, penconazole, picloram, prohexadione, propaquizafop, prosulfocarb, quizalofop-P-ethyl, quizalofop-P-tefuryl, sodium 5-nitroguaiacolate, sodium o-nitrophenolate, sodium p-nitrophenolate, sulphur, tebufenpyrad, tetraconazole, tri-allylate, triflurosulfuron and tritosulfuron (2022/2785(RSP))	unclear	it is an administrative act in the meaning of the Aarhus Regulation, but its legal effect is debatable
C 152/4	28.4.2023	2023/C 152/03	Authorisation for State aid pursuant to Articles 107 and 108 of the Treaty on the Functioning of the European Union Cases where the Commission raises no objections	not	it is an administrative act in the meaning of the Aarhus Regulation, but it relates to state aid

			Authorisation for State aid pursuant to Articles 107 and 108 of the Treaty on the Functioning of the European Union		it is an administrative act in the meaning of the Aarhus Regulation, but it relates to state aid
C 152/5	28.4.2023	2023/C 152/04	Cases where the Commission raises no objections	not	
			Authorisation for State aid pursuant to Articles 107 and 108 of the Treaty on the Functioning of the European Union		it is an administrative act in the meaning of the Aarhus Regulation, but it relates to state aid
C 152/6	28.4.2023	2023/C 152/05	Cases where the Commission raises no objections	not	

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