

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

1 February 2023

Monthly report on European Community institutions' administrative acts

In the period of

1-31 January 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
L8	11 January 2023	COMMISSION IMPLEMENTING DECISION (EU) 2023/97 of 5 January 2023	identifying Cameroon as a non-cooperating third country in fighting illegal, unreported and unregulated fishing	yes	it is an administrative act in the meaning of the Aarhus Regulation
C9	11 January 2023	2023/C 9/02	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) (Published pursuant to Article 64(9) of Regulation	yes	it is an administrative act in the meaning of the Aarhus Regulation

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);

			(EC) No 1907/2006		
C10	12 January 2023	2023/C 10/04	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) (Published pursuant to Article 64(9) of Regulation (EC) No 1907/2006	yes	it is an administrative act in the meaning of the Aarhus Regulation
L12	13 January 2023	Commission Decision (EU) 2023/105 of 26 July 2022	on the measures SA.33960 2012/C (ex 2012/NN) implemented by the French Republic in favour of the successive managers of Beauvais-Tillé airport and the airlines operating there	not	it is an administrative act in the meaning of the Aarhus Regulation, but it relates to state aid
		Commission Implementing Decision (EU) 2023/106 of 11 January 2023	fixing the indicative allocations of Union aid to Member States for school fruit and vegetables and for school milk for the period from 1 August 2023 to 31 July 2029	yes	it is an administrative act in the meaning of the Aarhus Regulation
C12	13 January 2023	2023/C 12/01	Commission opinion of 12 January 2023 relating to the plan for the disposal of radioactive waste arising from the decommissioning and dismantling of the Brokdorf (KBR) nuclear power plant in the Land of Schleswig-Holstein, Germany	unclear	it is an administrative act in the meaning of the Aarhus Regulation, but its legal effect is debatable
		2023/C 12/04	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) (Published pursuant to Article 64(9) of Regulation (EC) No 1907/2006	yes	it is an administrative act in the meaning of the Aarhus Regulation
C14	16 January	2023/C 14/01	Commission Opinion of 12 January 2023 relating to	unclear	it is an administrative

	2023		the plan for the disposal of radioactive waste arising from the decommissioning and dismantling of the Grohnde (KWG) nuclear power plant in the Federal State of Lower Saxony, Germany		act in the meaning of the Aarhus Regulation, but its legal effect is debatable
L16	18 January 2023	Commission Implementing Decision (EU) 2023/125 of 10 January 2023	amending the Annex to Implementing Decision (EU) 2021/641 concerning emergency measures in relation to outbreaks of highly pathogenic avian influenza in certain Member States	yes	it is an administrative act in the meaning of the Aarhus Regulation
C17	18 January 2023	2023/C 17/05	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) (Published pursuant to Article 64(9) of Regulation (EC) No 1907/2006	yes	it is an administrative act in the meaning of the Aarhus Regulation
C32	27 January 2023	2023/C 32/02	European Parliament resolution of 23 June 2022 on the draft Commission implementing decision authorising the placing on the market of products containing, consisting of, or produced from genetically modified maize DP4114 × MON 810 × MIR604 × NK603 and genetically modified maize combining two or three of the single events DP4114, MON 810, MIR604 and NK603, pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council	unclear	it is an administrative act in the meaning of the Aarhus Regulation, but its legal effect is debatable
		2023/C 32/03	European Parliament resolution of 23 June 2022 on Commission Implementing Decision (EU) 2022/797 of 19 May 2022 authorising the placing on the market of products containing, consisting of, or produced from genetically modified maize NK603 × T25 ×	unclear	it is an administrative act in the meaning of the Aarhus Regulation, but its legal effect is debatable

			DAS-40278-9 and its sub-combination T25 × DAS-40278-9, pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council		
		2023/C 32/04	European Parliament resolution of 23 June 2022 on illegal logging in the EU	unclear	it is an administrative act in the meaning of the Aarhus Regulation, but its legal effect is debatable
		2023/C 32/05	European Parliament resolution of 23 June 2022 on the implementation and delivery of the Sustainable Development Goals (SDGs)	unclear	it is an administrative act in the meaning of the Aarhus Regulation, but its legal effect is debatable

Contact information:

organization: *Justice & Environment*

e-mail: info@justiceandenvironment.org

URL: www.justiceandenvironment.org

Funded by the European Union. Views and opinions expressed are however those of the author(s) only and do not necessarily reflect those of the European Union or CINEA. Neither the European Union nor the granting authority can be held responsible for them.

