

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

31 May 2023

Monthly report on European Community institutions' administrative acts

In the period of

1-31 May 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
L 115/15	3.5.2023	COMMISSION IMPLEMENTING DECISION (EU) 2023/900 of 25 April 2023	setting up the Aerosol, Clouds and Trace Gases Research Infrastructure (ACTRIS ERIC)	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);

C 157/1	3.5.2023	2023/C 157/01	Resolution of the European Committee of the Regions on the Cities and Regions responding to the energy crisis: towards a real European Energy Union	unclear	it is an administrative act in the meaning of the Aarhus Regulation, but its legal effect is debatable
C 157/6	3.5.2023	2023/C 157/02	Opinion of the European Committee of the Regions on progress in the implementation of SDGs	unclear	it is an administrative act in the meaning of the Aarhus Regulation, but its legal effect is debatable
C 157/38	3.5.2023	2023/C 157/08	Opinion of the European Committee of the Regions on the EU Nature Restoration Law	unclear	it is an administrative act in the meaning of the Aarhus Regulation, but its legal effect is debatable
C 157/58	3.5.2023	2023/C 157/09	Opinion of the European Committee of the Regions on Regional adaptation strategies for low carbon agriculture	unclear	it is an administrative act in the meaning of the Aarhus Regulation, but its legal effect is debatable
L 121/1	5.5.2023	COUNCIL DECISION (EU) 2023/904 of 7 March 2023	on the conclusion of the Voluntary Partnership Agreement between the European Union and the Co-operative Republic of Guyana on forest law enforcement, governance and trade in timber products to the European Union	yes	it is an administrative act in the meaning of the Aarhus Regulation
C 162/1	5.5.2023	2023/C 162/01	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 162/3	5.5.2023	2023/C 162/02	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 162/5	5.5.2023	2023/C 162/04	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 162/6	5.5.2023	2023/C 162/05	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 162/7	5.5.2023	2023/C 162/06	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 162/10	5.5.2023	2023/C 162/08	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 163/1	08.05.2023	2023/C 163/01	COMMISSION OPINION of 5 May 2023 relating to the modified plan for the disposal of radioactive waste arising from the Loviisa low and intermediate level waste repository located at the Loviisa site in Finland	unclear	it is an administrative act in the meaning of the Aarhus Regulation, but its legal effect is debatable

C 165/1	10.5.2023	2023/C 165/01	Commission Notice on recommendations on the 2020 updated reports for Article 11 of the Marine Strategy Framework Directive (2008/56/EC)	yes	it is an administrative act in the meaning of the Aarhus Regulation
C 165/11	10.5.2023	2023/C 165/05)	Notice of the areas available for the granting of licences for the exploration and exploitation of hydrocarbons	yes	it is an administrative act in the meaning of the Aarhus Regulation
C 165/13	10.5.2023	2023/C 165/06	Notice on the availability of areas in Austria for the prospection, exploration and production of hydrocarbons	yes	it is an administrative act in the meaning of the Aarhus Regulation
C 167/68	11.05.2023	2023/C 167/10	European Parliament resolution of 24 November 2022 on the outcome of the modernisation of the Energy Charter Treaty (2022/2934(RSP))	unclear	it is an administrative act in the meaning of the Aarhus Regulation, but its legal effect is debatable
C 167/77	11.05.2023	2023/C 167/12	European Parliament resolution of 24 November 2022 on the protection of livestock farming and large carnivores in Europe (2022/2952(RSP))	unclear	it is an administrative act in the meaning of the Aarhus Regulation, but its legal effect is debatable
C 167/89	11.05.2023	2023/C 167/14	European Parliament resolution of 24 November 2022 on improving EU regulations on wild and exotic animals to be kept as pets in the European Union through an EU positive list (2022/2809(RSP))	unclear	it is an administrative act in the meaning of the Aarhus Regulation, but its legal effect is debatable

C 177/2	17.5.2023	2023/C 177/01	European Parliament resolution of 13 December 2022 on the draft Commission implementing decision renewing the authorisation for the placing on the market of products containing, consisting of or produced from genetically modified soybean A5547-127 (ACS-GMØØ6-4) pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council (D084951/01 — 2022/2930(RSP))	unclear	it is an administrative act in the meaning of the Aarhus Regulation, but its legal effect is debatable
L 135/111	23.5.2023	COUNCIL DECISION (EU) 2023/990 of 25 April 2023	on the position to be taken on behalf of the European Union at the Conference of the Parties to the Rotterdam Convention on the Prior Informed Consent Procedure for certain hazardous chemicals and pesticides in international trade as regards certain amendments to the Convention and its Annex III	yes	it is an administrative act in the meaning of the Aarhus Regulation
L 136/55	24.5.2023	COUNCIL DECISION (EU) 2023/1006 of 25 April 2023	on the position to be taken on behalf of the European Union at the eleventh meeting of the Conference of the Parties to the Stockholm Convention on Persistent Organic Pollutants as regards the proposals for amendment of Annex A to that Convention	yes	it is an administrative act in the meaning of the Aarhus Regulation
L 136/57	24.5.2023	COUNCIL DECISION (EU) 2023/1007 of 25 April 2023	on the position to be taken on behalf of the European Union at the sixteenth meeting of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal with regard to certain amendments of Articles and Annexes in that Convention	yes	it is an administrative act in the meaning of the Aarhus Regulation

L 136/75	24.5.2023	COMMISSION IMPLEMENTING DECISION (EU) 2023/1016 of 22 May 2023	amending Decision 2002/994/EC concerning certain protective measures with regard to the products of animal origin imported from China	yes	it is an administrative act in the meaning of the Aarhus Regulation
C 184/13	25.5.2023	2023/C 184/03	Opinion of the European Economic and Social Committee on 'Young people's role in the green transition'	unclear	it is an administrative act in the meaning of the Aarhus Regulation, but its legal effect is debatable
C 184/18	25.5.2023	2023/C 184/04	Opinion of the European Economic and Social Committee on 'Wooden construction for CO2 reduction in the building sector'	unclear	it is an administrative act in the meaning of the Aarhus Regulation, but its legal effect is debatable
C 184/45	25.5.2023	2023/C 184/08	Opinion of the European Economic and Social Committee on the 'Communication from the Commission to the European Parliament and the Council – 2022 Strategic Foresight Report – Twinning the green and digital transitions in the new geopolitical context'	unclear	it is an administrative act in the meaning of the Aarhus Regulation, but its legal effect is debatable
C 184/78	25.5.2023	2023/C 184/14	Opinion of the European Economic and Social Committee on the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – Revision of the EU action plan against wildlife trafficking	unclear	it is an administrative act in the meaning of the Aarhus Regulation, but its legal effect is debatable

C 184/83	25.5.2023	2023/C 184/15	Opinion of the European Economic and Social Committee on the ‘Proposal for a regulation of the European Parliament and of the Council establishing a Union certification framework for carbon removal’	unclear	it is an administrative act in the meaning of the Aarhus Regulation, but its legal effect is debatable
C 184/88	25.5.2023	2023/C 184/16	Opinion of the European Economic and Social Committee on the Report from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions — State of the Energy Union 2022 (pursuant to Regulation (EU) 2018/1999 of the Governance of the Energy Union and Climate Action)	unclear	it is an administrative act in the meaning of the Aarhus Regulation, but its legal effect is debatable
C 184/93	25.5.2023	2023/C 184/17	Opinion of the European Economic and Social Committee on the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on Digitalising the energy system — EU Action Plan	unclear	it is an administrative act in the meaning of the Aarhus Regulation, but its legal effect is debatable
L 139/47	26.5.2023	COUNCIL DECISION (EU) 2023/1034 of 22 May 2023	on the submission, on behalf of the European Union, of a proposal to amend Appendix I to the Convention on the Conservation of Migratory Species of Wild Animals with a view to the fourteenth meeting of the Conference of the Parties	yes	it is an administrative act in the meaning of the Aarhus Regulation
C 186/1	26.5.2023	2023/C 186/01	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 186/4	26.5.2023	2023/C 186/03	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
C 186/8	26.5.2023	2023/C 186/07	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 186/9	26.5.2023	2023/C 186/08	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 186/10	26.5.2023	2023/C 186/09	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 188/43	30.5.2023	2023/C 188/06	Opinion of the European Committee of the Regions on sustainable use of pesticides	unclear	it is an administrative act in the meaning of the Aarhus Regulation, but its legal effect is debatable

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