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My name is Luc Lavrysen.

I am a Justice of the Constitutional Court of Belgium and an Environmental Law Professor at Ghent University. I am also the President of the EU Forum of Judges for the Environment.

I wish to briefly share with you the encounter between the judiciary and the Aarhus Convention, as experienced in my Court and in other Courts.

The Convention has been ratified by Belgium in January 2003. It quickly found its way to our Court Room. The first judgment in which the Court combined its constitutional review of an Act of Parliament, in that case of a regional parliament, with the review of compliance with the Aarhus Convention was its judgment n° 135/2006 of 14 September 2006, a case that has been introduced with the Court on May 31th 2005, so some 2 years after the entry into force of the Convention in Belgium. In its judgment n° 137/2006 of 14 September 2006, the Court annulled, on demand of an ENGO, for the first time a piece of legislation because it believed that an Amendment of the Walloon Town and Country Planning Code was violating art. 7 of the Aarhus Convention and certain provisions of the SEA Directive of the EU.

The Aarhus Convention has brought International Environmental Law in our Court Room. Apart from the Human Rights Conventions and the European Union Treaties (and its predecessors), the Belgian Constitutional Court only occasionally dealt with International Law. Since its judgments of 14 September 2006, nearly 50 judgments have, in total, referred to almost all provisions of the Aarhus Convention. It has become, apart from the Human Rights en EU Treaties, the most popular Treaty in our Court and it is often referred to in conjunction with European Union Environmental Directives and Regulations. In doing so, it has become a living legal instrument that contributes in a significant way to the enforcement of International and European Environmental Law in our Court.

The Aarhus Convention is also popular in other Courts. In the database of the Council of State of Belgium I found 267 references to cases in which the Aarhus Convention has been invoked, while 30 cases have been found in the database of the Supreme Court. A Judgment of 11 June 2013 of that Supreme Court marked the end of very strict standing rules for ENGO's in civil cases and as civil parties in criminal cases. In the database of the Council for Permit Disputes, a specialised regional administrative court for the Flemish Region of Belgium, dealing with building, and more recently, integrated environmental permits, I counted 117 judgments with a reference to the Aarhus Convention.

Turning to the EU level, there have been around 75 judgments of the Court of Justice and the General Court with reference to the Convention. Some of them having a far reaching impact on national jurisprudence.

I believe that I may say, on behalf of the members of the EU Forum of Judges for the Environment, that the Aarhus Convention has become by far the best-known Multilateral Environmental Treaty by our judges and we believe that it will rank first for many years to come.

So happy birthday and we wish you many more years to come.

Thank you for your attention!