



Council of the
European Union

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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the conclusion of the Council of Europe
Convention on the Protection of the Environment through Criminal Law

**Reservation concerning the definition of certain terms under the Council of Europe
Convention on the Protection of the Environment through Criminal Law**

In accordance with Article 56, paragraph 3, of the Convention on the Protection of the Environment through Criminal Law (the ‘Convention’), the European Union declares that, for its Member States, the notions ‘a domestic law, a regulation, an administrative provision or a decision taken by a competent authority aimed at protecting the environment’ used for defining the term ‘unlawful’ in Article 3(a) of the Convention shall mean Union law which contributes to the pursuit of one of the objectives of the Union’s policy on the environment as set out in Article 191(1) of the Treaty on the Functioning of the European Union, as well as a law, regulation or administrative provision of a Member State of the European Union, or a decision taken by a competent authority of a Member State, which gives effect to the relevant Union law, including when national rules go beyond minimum requirements set out in Union law. The same meaning shall apply to the notions ‘domestic law’ and ‘domestic provisions’ used for the purposes of defining the relevant conduct under Articles 14, 19, 20, 21, 26, 29 and 30 of the Convention. Furthermore, the notions ‘protected’ and ‘requirement’ used for the purposes of defining the relevant conduct under Articles 13, 22, 27, 28 and 29 of the Convention shall be interpreted in accordance with domestic law, as defined above. This reservation is without prejudice to any reservations or declarations that Member States might wish to make individually, where permissible.