



## Reports of Cases

### **Judgment of the Court (Eighth Chamber) of 31 March 2022 – Commission v Portugal (Environmental noise)**

(Case C-687/20)<sup>1</sup>

(Failure of a Member State to fulfil obligations – Environment – Directive 2002/49/EC – Assessment and management of environmental noise – Agglomerations, major roads and major railways – Article 7(2) – Strategic noise maps – Article 8(2) – Action plans – Article 10(2) – Annex VI – Information provided by the strategic noise maps – Summaries of action plans – Failure to communicate to the European Commission within the periods prescribed)

1. *Environment – Assessment and management of environmental noise – Directive 2002/49 – Obligation for the Member States to draw up strategic noise maps for agglomerations, major roads and major railways – Obligation to communicate the information provided by those maps to the Commission – Failure to fulfil obligations*

*(European Parliament and Council Directive 2002/49, Arts 7(2), first para. and 10(2) and Annex VI)*

*(see paras 38, 39, operative part 1)*

2. *Environment – Assessment and management of environmental noise – Directive 2002/49 – Obligation for the Member States to draw up action plans for agglomerations, major roads and major railways – Obligation to communicate summaries of those action plans to the Commission – Failure to fulfil obligations – Justification based on there being no population exposed to environmental noise – Not permissible*

*(European Parliament and Council Directive 2002/49, Arts 2(1), 8(2) and 10(2) and Annex VI)*

*(see paras 40-47, 52-55, 57, operative part 1)*

### **Operative part**

The Court:

<sup>1</sup> OJ C 62, 22.2.2021.

1. Declares that the Portuguese Republic, first, in failing to draw up strategic noise maps for the major roads PT\_a\_rd00410, PT\_a\_rd00458, PT\_a\_rd00460, PT\_a\_rd00462 and PT\_a\_rd00633 or action plans for the agglomerations of Amador and Porto and for the major roads and major railways referred to in the annex to the present judgment, and, second, in failing to communicate to the European Commission the information provided by those maps or the summaries of those action plans, has failed to fulfil its obligations under the first paragraph of Article 7(2), Article 8(2) and Article 10(2) of Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise, read in conjunction with Annex VI to that directive;
  
2. Orders the Portuguese Republic to pay the costs.