



**COUNCIL OF
THE EUROPEAN UNION**



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**Aarhus Convention on access to information, public
participation in decision-making and access to justice in
environmental matters to EC institutions and bodies**

The Council and the European Parliament, meeting on 2 May in the Conciliation Committee¹, reached an agreement on: a regulation on the application of the Aarhus Convention on access to information, public participation in decision-making and access to justice in environmental matters to EC institutions and bodies.

For the legislative acts to be adopted, the agreement must be now endorsed by the Parliament (absolute majority votes cast) and the Council (qualified majority voting procedure).

¹ The Conciliation Committee has 50 members: 25 members of the European Parliament and 25 representatives from the Council. The meeting was co-chaired by Mr Alejo Vidal-Quadras Roca, Vice-President of the European Parliament and Mr Josef PRÖLL, Austrian Minister for Environment.

P R E S S

The regulation aims at applying the requirements under the Aarhus Convention to European Union institutions and bodies, in particular by:

- guaranteeing the right of public access to environmental information received or produced by EU institutions or bodies and held by them;
- ensuring that environmental information is progressively made available and disseminated to the public in order to achieve its widest possible systematic availability and dissemination;
- providing for public participation concerning plans and programmes relating to the environment;
- granting access to justice in environmental matters at EU level under the conditions laid down by this Regulation.

The key changes to the common position resulting from the conciliation agreement concern the following issues:

- Community institutions and bodies would take into account the outcome of the public participation in taking a decision on a plan or programme relating to the environment and inform the public about it;
- databases or registers should include information on steps taken in proceedings for infringement of Community law;
- a delay of 15 working days for an answer from the Community institutions or bodies to a request for access to information would be established;
- Community institutions and bodies have to interpret any grounds for refusing access to information in a restrictive way, taking into account the public interest served by disclosure and whether the information relates to emissions into the environment;

- extension to eight weeks of the delay to receive comments from the public to plans and programmes;
 - extension to six weeks of the delay for any non-governmental organisation to present a request for the review of a Community act;
 - the regulation would be applicable 9 month after its entry into force.
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