Environment: access to information and justice, public participation, conclusion of the Arhus Convention

2003/0249(CNS) - 07/04/2008 - Follow-up document

This proposal, in the form of a draft Council Decision, establishes the position to be taken on behalf of the European Community on the interpretation of Article 14 of the Aarhus Convention.

The Community is a Party to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (1998 Aarhus Convention).

Article 14(4) of the Aarhus Convention, which establishes the conditions for entry into force of amendments to the Convention other than those to an annex, is open to different interpretations due to the ambiguity inherent in the expression "by at least three fourths of these Parties".

Parties to the Convention have the ultimate power to agree on the interpretation of the Convention. Such an agreement can be reflected in an appropriate decision taken by the Meeting of the Parties.

The Parties to the Aarhus Convention, desiring to resolve an interpretative ambiguity to bring about an early entry into force of the amendment to the Convention which they adopted at the second Meeting of the Parties by decision II/1, and any further amendments to the Convention, are expected to agree at the forthcoming Meeting of the Parties on the interpretation to be given to Article 14(4) of the Convention.

The European Community should support an interpretation of Article 14(4) of the Convention which is favourable to the early entry into force of amendments,

It is proposed that on the occasion of the third Meeting of the Parties to the Aarhus Convention, the Commission shall support on behalf of the Community an interpretation of the expression "by at least three fourths of these Parties" as contained in Article 14(4) of that Convention which would ensure an early entry into force of amendments.