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

2003/0242(COD) - 24/10/2003 - Legislative proposal

PURPOSE : to lay down rules aiming to apply the principles of the UN/ECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental matters, hereafter named the Arhus Convention, to Community institutions and bodies. PROPOSED ACT : Regulation of the European Parliament and of the Council. CONTENT : in 1998, the European Community, together with the fifteen Member States, signed the UN/ECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (hereinafter "the Arhus Convention"). The main aim of the Convention is to allow the public to become more involved in environmental matters and to actively contribute to improved preservation and protection of the environment. The signing of the Arhus Convention obliges the European Community to align its legislation to the requirements of the Convention. The Community is not yet allowed to ratify Arhus Convention, as the provisions of that Convention are, in part, more detailed or far-reaching than existing EC provisions, also concerning their scope of application. For this reason, additional measures are necessary to fully apply the requirements of the Arhus Convention to the Community institutions and bodies. This proposal for a Regulation envisages the application of the Convention's three pillars, access to information, public participation in decision-making and access to justice in environmental matters, to the European Community institutions and bodies, building upon the provisions which already exist in this area. This proposed Regulation shall lay down rules aiming to apply the principles of the UN/ECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental matters to Community institutions and bodies, in particular by: - guaranteeing the right of public access to environmental information held by or for Community institutions and bodies and by setting out the basic terms and conditions of, and practical arrangements for, its exercise; - ensuring that environmental information progressively becomes available in electronic databases that are easily accessible to the public through public telecommunications networks; - providing for public participation in respect of the preparation by Community institutions and bodies of plans and programmes relating to environment; - granting access to justice in environmental matters at Community level under the conditions laid down by this Regulation.