



Council of the
European Union

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DECLASSIFICATION

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dated: 9 January 1998

new status: Public

Subject: Negotiation of a Convention on Access to Environmental Information and
Public participation in Environmental Decision-making
- Application of the Convention to the Community institutions

Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.

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OUTCOME OF PROCEEDINGS

of: Working Party on the Environment

on: 8 January 1998

No. prev. doc.: 12375/97 ENV 356

No. Cion prop.: 12316/96 ENV 376 - SEC(96) 2136 final

Subject: Negotiation of a Convention on Access to Environmental Information and Public participation in Environmental Decision-making
- Application of the Convention to the Community institutions

The Environment Working Party, at its meeting on 8 January 1998, checked the state of the discussion, and in particular the reflections of the Council Legal Service and of the Commission on the above question.

It noted that the Council Legal Service will issue its opinion on the subject if possible on 9 January. The Commission will continue its discussion next week.

After a brief exchange of views, during which it appeared to most delegations that the Convention might be incompatible with the specificities of the institutional system of the Community, the President concluded the following:

- the issue of the application of the future Convention to the Community institutions is a horizontal issue concerning all institutions;
- this issue has not yet been discussed at the appropriate Council level (Coreper);
- the Community participates in the negotiations according to the mandate given in doc. 12375/97 ENV 356 + COR 1, but cannot take a position during the final round of negotiations starting on 12 January 1998 which exceeds the mandate; therefore, if the Convention is incompatible with the specificities of the institutional system of the Community, no decision can be made as to whether the Convention is acceptable to the Community;

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- the Community will ask the other negotiating Parties in Geneva to put the text regarding the Community institutions in brackets and undertake to give its position as soon as possible before the Aarhus Conference in June;
 - the Presidency will, in Geneva, without prejudging the outcome of the discussion of the Permanent Representatives Committee, make it clear that the Community wishes to take a positive stance on the issue, in particular as regards access to information.
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