

Aarhus EU Regulation
Second reading
Voting recommendations by G-10 Environmental Organisations

<u>Amendment</u>	<u>Recital/Article</u>	<u>Recommendation</u>
1. (Rapporteur)	Recital 1	+ support
18. (Krupa)	Recital 6	no position
19. (Krupa)	Recital 7	- oppose
2. (Rapporteur)	Recital 8	++ support
20. (Krupa)	Recital 9	no position
3. (Rapporteur)	Recital 15	- oppose
21. (Auken**)	Recital 15	++ support
22. (Brepoels)	Recital 15	++ support
23. (Krupa)	Art. 1.1(b)	no position
24. (Auken**)	Art. 1.1(c)	++ support
25. (Brepoels)	Art. 1.1(c)	++ support (identical to 24)
<i>Justification: we strongly support these identical amendments to give attention to policies, as called for by the Aarhus Convention.</i>		
26. (Blokland)	Art. 2.1(intro)	+ support
27. (Krupa)	Art. 2.1(a)	- oppose
<i>Justification: environmental information is a clearly defined term in the Regulation and covers more than 'the state of the environment or one of its elements'.</i>		
28. (Krupa)	Art. 2.1(d)(i)	- oppose
<i>Justification: would introduce language not found in Aarhus.</i>		
4. (Rapporteur)	Art. 2.1(d)(iv)a(new)	++ support
<i>Justification: see below, justification for amendment 6.</i>		
29. (Krupa)	Art. 2.1(d)(vi)	- oppose
<i>Justification: would introduce language not found in Aarhus.</i>		
30. (Brepoels)	Art. 2.1(e)	+ support
<i>Justification: Aarhus also requires attention to policies.</i>		
31. (Brepoels)	Art. 2.1(e)(i)	+ support
32. (Auken**)	Art. 2.1(e)(i)	+ support
<i>Justification: would reintroduce amendment 10 from the first reading.</i>		
33. (Auken**)	Art. 2.1(e)3	++ support
<i>Justification: the Council's introduction of an exception for 'banking' is inconsistent with the Aarhus Convention. We strongly support this amendment to delete the exception.</i>		

34. (Krupa)	Art. 2.1(f)	no position
35. (Krupa)	Art. 3.1.1	no position
5. (Rapporteur)	Art. 4.1(2)	+ support
36. (Krupa)	Art. 4.2 (intro)	+ support
6. (Rapporteur)	Art. 4.2(b)a(new)	++ support
	<i>Justification: we strongly support this amendment since experience has shown that organisations that have brought information to the Commission's attention have been refused information on the progress, if any, on the matter.</i>	
37. (Krupa)	Art. 4.4	no position
7. (Rapporteur)	Art. 5.1	+ support
38. (Brepoels)	Art. 6	++ support
39. (Auken**)	Art. 6.1	++ support
8. (Rapporteur)	Art. 6.2	++ support
40. (Auken**)	Art. 6.3	++ support
	<i>Justification: we strongly support the common objective of these amendments to apply the exceptions of Directive 2003/4. The final paragraph of amendment 38 expressly incorporates the Aarhus Convention's requirements that exceptions be interpreted restrictively. This language is also found in Directive 200/4.</i>	
9. (Rapporteur)	Art. 7	++ support
	<i>Justification: we strongly support this amendment. Specifying a time limit is consistent with the approach followed by Directive 2003/4.</i>	
10. (Rapporteur)	Art. 7a(new)	+ support
41. (Krupa)	Art. 8.1	no position
42. (Brepoels)	Art. 9	+ support
43. (Krupa)	Art. 9.3 (intro)	no position
11. (Rapporteur)	Art. 9.4	++ support
	<i>Justification: we strongly support reintroduction of this amendment to establish a more reasonable time limit and requirement to take due account of public comment</i>	
44. (Auken**)	Art. 9a(new)	++ support
	<i>Justification: the Aarhus Convention expressly requires that due account be taken of the outcome of public participation. In first reading (amendment 23) addressed this point but the Council rejected it. We strongly support this amendment to include this requirement expressly in the Regulation.</i>	
12. (Rapporteur)	Art. 10.1(2)	++ support
	<i>Justification: we strongly support this compromise on the amount of time for making a request for internal review.</i>	
45. (Auken****)	Art. 10.2	+ support
46. (Brepoels)	Art. 10.2	+ support
	<i>Justification: we support these amendments and note that amendment 46 may be preferable to the extent that it uses the term 'non-governmental organisation'</i>	

instead of 'qualified entity'. The latter term no longer appears in articles 10 or 11.

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| 47. (Brepoels) | Art. 10.3 | + | support |
| 13. (Rapporteur) | Art. 11.1(b) | - | oppose |
| 48. (Brepoels) | Art. 11.1(b) | - | oppose |
- Justification: we share the Council's view that adding this language (on promoting sustainable development) is not necessary.*
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| 14. (Rapporteur) | Art. 11.1(c)a (new) | - - | oppose |
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- Justification: We **strongly oppose** this amendment. It lacks clarity and creates the risk of multiple and diverging interpretations of the meaning of 'respect'. What constitutes a lack of 'respect'? A critical newspaper article, a public demonstration, an act of civil disobedience which can be or already has been otherwise punished?*
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| 15. (Rapporteur) | Art. 11.1(c)b(new) | - - | oppose |
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- Justification: the Council properly rejected this requirement and we **strongly oppose** the attempt to reintroduce it. It would make it impossible for national organisations from making a request for internal review. This amendment was also explicitly rejected by the Parliament in its first reading.*
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| 49. (Brepoels) | Art. 12.1 | + | support |
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- Justification: we would more strongly support the introduction of an objective standard such as 'when its request is denied' but also support this amendment reintroducing the language of the Commission's proposal.*
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| 16. (Rapporteur) | Art. 13 | + | support |
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- Justification: Reinstates first reading amendment 37 to specify a date for the adaptation of their rules of procedure by Community institutions and bodies.*
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| 17. (Rapporteur) | Art. 14 | - | oppose |
| 50. (Brepoels) | Art. 14 | + | support |
- Justification: we support the introduction of an earlier date (3 months after publication) by when the Regulation would apply. The rapporteur's amendment reinstates amendment 38 (6 months).*

** Amendment by: Auken, Sjöstedt, Davies.

**** Amendment by: Auken, Sjöstedt, Davies, Harms, Sornosa Martinez, Hegyi