



Mr. Hans Christian Schmidt  
Minister of Environment  
Ministry for the Environment  
Højbro Plads 4  
DK – 1200 Copenhagen K  
Denmark

Brussels, 4 November 2002

### **Conciliation: public access to environmental information**

Dear Minister Schmidt,

There is an urgent need for the Council to show more flexibility in the conciliation negotiations this week on the proposal for a directive on public access to environmental information.

The conciliation process is nearing its end and we strongly urge the Council to agree to the amendments of the European Parliament and compromise proposals of the European Commission.

Public access to environmental information is an essential element of a strong and effective EU environmental policy. In June 2000, the Commission issued a proposal aimed at meeting the requirements of the Aarhus Convention and strengthening the directive on the basis of experience with existing Directive 90/313/EEC. The European Parliament's amendments support and further strengthen the Commission's proposal.

Unfortunately, the Council has consistently taken positions, which would weaken the new directive. We call upon you now, as President-in-office of the Environment Council, to conclude the conciliation in a positive fashion.

In particular, we call upon the Council to accept the Commission's compromise proposals with regard to practical arrangements (amendment 23 and 24), electronic databases (amendment 37) and active information dissemination (amendments 37, 43, 44). We also continue to regard a time limit of 15 working days (see amendment 20) as preferable and consistent with the time limit applied to the EU institutions themselves. We urge the Council to support the Parliament's position with regard to exceptions (amendments 27 and 30 in particular), charges (amendment 35) and reporting and entry into force (amendments 45, 46, and 47).

Four years after the signing of the Aarhus Convention have passed and if the Council position prevails member states will have two years to transpose the new directive and nine (!) years before another revision begins. This is an exceedingly long time for Aarhus to be the ceiling rather than the floor for the public's access to environmental information.

We urge you to lead the Council toward an agreement, which strengthens public access to environmental information in line with the amendments and proposals identified above.

Sincerely,

John Hontelez