

SUMMARY OF MEETING**Date and place:** Brussels, 21.11.2003**DG ENV participants:** [REDACTED], [REDACTED], [REDACTED], [REDACTED]**Subject:****COUNCIL**

Environment Group

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Atomic Questions Group

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Coreper

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Council

☐**PARLIAMENT**

Environment Committee

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Petitions Committee

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Other

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Plenary session

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Rapporteur:

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COMMISSION

Committee

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Experts Group

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Interservices meeting

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Agenda item: Presentation of 'Århus package', i.e. proposals for a decision concerning the conclusion of the Århus Convention, for a Regulation on the application of the Århus Convention to Community bodies and institutions and for a Directive on access to justice in environmental matters

Legal basis: Article 175(1) for proposals of Regulation and Directive, in conjunction with Article 300 (2) and (3) for proposed Decision

State of play of the decision-making process: First reading

Results of the meeting: The package was presented by the Commission. Overall, MS stressed that the package was still being examined, and that this process was likely to take some time, as a number of authorities were involved. The package as such was generally welcomed. Preliminary comments concentrated on the proposal for a Directive,

Out of scope

[REDACTED]

[REDACTED]

Out of scope

[REDACTED]

Concerning the proposed **Directive on access to justice**, the main comments related to: - the need to look more in detail at the question of Community competence under the first pillar (as opposed to possible action under the third pillar, ES, FIN, PT); - the question of subsidiarity (F, who overall was rather positive, D, NL, SW), - the question of the added value of the Directive as compared to already existing national régimes (UK, PT), - alleging that the proposal goes beyond the requirements of the Århus Convention (FIN, PT, DK, AU, D), - the scope (F, D, in relation to including actions of private persons); - the relation with more progressive national legislation (UK, in particular relating to those admitted to go to the Courts); - the relation with other Directives (AU, GR). PT requested the studies of comparative law to be made available for scrutiny as soon as possible.

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Out of scope

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[REDACTED] the Commission is disposed to look at the aspects were MS allege that the Convention is being "over-implemented", in relation to access to justice concerning acts from private persons, [REDACTED]

[REDACTED]

Out of scope

[REDACTED]

Contact person: [REDACTED]

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Cabinet of Mrs Wallström: Mr Arp, Mr Grönberg.....