



KESKKONNAMINISTEERIUM
MINISTRY OF THE ENVIRONMENT
REPUBLIC OF ESTONIA

To Focal Points to the Aarhus Convention,

10.04.2001 No. 20-1/41

Dear Madam, Sir,

The second meeting of the Signatories to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters established a task force on access to justice to support the implementation of the third pillar of the Convention. The meeting agreed that the task force should focus on means of practical implementation rather than engage in efforts to extend or refine the legal framework provided by the Convention. It should gather information on good practices and provide a forum for exchange of experience and make an effort to provide models, concrete solutions, and problem-solving approaches in the implementation of article 9. Consideration should be given to holding a workshop (See CEP/WG.5/2000/2, paragraphs 45-47).

As the lead country for this task force, Estonia would like to take this opportunity to inform you of the plans for future work which have been developed in consultation with interested parties and invite your comments and suggestions.

Following the mandate given by the Signatories, it is proposed to hold a 2½-day workshop in Tallinn, Estonia, on 17-19 September 2001.

Possible issues to be discussed at the workshop could include:

- What might constitute an "independent and impartial body established by law"?
- What is 'sufficient interest' and how does this relate to the standing and the status of NGOs and other community neighbourhood groups?
- What are adequate and effective remedies?
- How can injunctive relief be used to assist with effective remedies?
- How can appropriate financial assistance be provided in an effective way?
- What other barriers to justice have been identified and how have they been overcome?

The main outcome of the workshop would be a handbook, containing an analysis of key issues in relation to implementation of Article 9 of the Aarhus Convention, discussing different national approaches and drawing upon up to 30 brief (2-4 pages) case studies drawn from across the UNECE region, with a focus on the non-EU part. The case studies would reflect the wide scope of Article 9, identify obstacles and, where possible, highlight elements of good practice undertaken. A general call for case studies would be

Toompuiestee 24
801
EE0100 TALLINN
ESTONIA

phone int_ +37 2 6 262 802

fax int. +37 2 6 262

sent to you in the near future. The Regional Environmental Center for Central and Eastern Europe (REC) would be the main co-ordinator with support from ECO Forum and the American Bar Association's Central and Eastern European Law Initiative (ABA/CEELI).

The Governments of Finland and the Netherlands have indicated willingness to provide a financial and/or substantive contribution towards the work of the task force, and the United Kingdom has offered financial support for the research to prepare for the workshop and any subsequent handbook.

To create a good forum for discussion and exchange of experiences, it is proposed to invite governmental officials, NGO representatives, members of the judiciary and others to participate in the workshop. You would be invited to nominate candidates for the task force and the proposed workshop later this year.

We would be very grateful to receive your comments on the above proposal, which should be sent to the lead country (Fax. no.: +372-626 2801, E-mail: rita.annus@ekm.envir.ee) and copied to UNECE Aarhus Convention Secretariat (Fax. no.: + 41 22 907 01 07, E-mail: public.participation@unece.org) by the end of April 2001. This feedback would then be used as a basis for further developing the plans for the workshop.

We would also be pleased to receive any other comments or suggestions you may have concerning the future work of the task force.

We look forward to hearing from you.

Sincerely yours,

[originally signed by Rita Annus]

Rita Annus
National Focal Point for the Aarhus Convention
Director of Legal Department