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Meeting of the Parties to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters

Working Group of the Parties

Twelfth meeting

Geneva, 30 June–2 July 2010

Item 5 (b) of the provisional agenda

Promoting the application of the principles of the Convention in international forums

Report on the Fourth Meeting of the Task Force on Public Participation in International Forums*

1. The fourth meeting of the Task Force on Public Participation in International Forums established by the Meeting of the Parties through decision II/4 (ECE/MP.PP/2005/2/Add.5) was held in Geneva on 6 July 2009.
2. The meeting was attended by experts designated by the Governments of Armenia, Belarus, Finland, France, Georgia, Ireland, Italy, Kyrgyzstan, Slovakia, Spain, Sweden, Tajikistan, Ukraine and Uzbekistan. The European Union was also represented.
3. The Regional Environmental Center for Central and Eastern Europe (REC) and the Regional Environmental Center for Central Asia (CAREC) were also represented.
4. The following Aarhus Centres were represented: Aarhus Centre Minsk (Belarus) and the Information Centre on the Aarhus Convention (Kyrgyzstan).
5. The following non-governmental organizations (NGOs) were represented: Global Legislators' Organisation for a Balanced Environment Europe, Association for Sustainable Human Development (Armenia), Khazer Ecological and Cultural NGO (Armenia), Teta Khazri (Azerbaijan), Florozon Skopje (the former Yugoslav Republic of Macedonia), Women in Europe for a Common Future (Germany), Elliniki Etaireia – Hellenic Society for the Protection of the Environment and Cultural Heritage (Greece), Greenwomen Environmental Analytical Agency (Kazakhstan), Regional Development Centre

* This report was prepared pursuant to a decision of the Working Group of the Parties at its eleventh meeting (ECE/MP.PP/WG.1/2009, para. 89).

(Kyrgyzstan), Eco-Tiras International Environmental Association of River Keepers (Republic of Moldova), Sun Valley Association (Romania), Ural Ecological Union (Russian Federation), Earthjustice (Switzerland), Foundation to Support Civil Initiatives (Tajikistan), NGO Ecology and Health (Tajikistan), Bureau of Environmental Investigation (Ukraine), International Charity Organization Green Dossier (Ukraine) and Armon Women's Center for Environmental Law (Uzbekistan).

6. The following academic and business organizations were represented: University of Oregon (United States), CropLife International (Belgium) and EuropaBio (Belgium).

I. Adoption of the agenda

7. The Task Force adopted the following agenda for its work:

- (a) Election of Chair;
- (b) Adoption of the agenda;
- (c) Sharing national experiences in implementing article 3, paragraph 7, of the Convention;
- (d) Reporting on article 3, paragraph 7, in the national implementation reports;
- (e) Update on compendium of good practices and evaluation of outcomes of the consultation process;
- (f) Outreach to interested international forums;
- (g) Adoption of the report and close of the meeting.

II. Election of new Chair

8. Mr. Etienne Ballan (France) was unanimously elected as Chair, succeeding Mr. Laurent Mermet (France).

III. Sharing national experiences in implementing article 3, paragraph 7, of the Convention

9. The agenda item began with presentations by a small number of Parties of their experiences in implementing article 3, paragraph 7, including what concrete steps those Parties had taken to implement the Almaty Guidelines on Promoting the Application of the Principles of the Aarhus Convention in International Forums since the third Meeting of the Parties, what had worked well, and what challenges had been encountered. Presentations were made by Belarus, France and Kyrgyzstan and following each presentation, the Task Force was invited to ask questions or to provide comments.

10. The Chair presented, and the Task Force was invited to discuss, an outline proposal for a workshop for Parties to share their good practices and challenges regarding their efforts to implement article 3, paragraph 7, in more detail. The proposed workshop would be held between February and April 2010 and was intended to provide a forum in which Aarhus Parties, civil society and academia could exchange good practices and challenges with respect to the implementation of article 3, paragraph 7. It would also contribute towards the compilation of case studies on good practice to assist the preparation of a compendium of case studies in accordance with paragraph 2 (c) of decision III/4 (ECE/MP.PP/2008/2/Add.6). It was agreed that the workshop should focus on the first two

pillars of the Convention, but that the issue of access to justice might be considered for the next workshop.

IV. Reporting on article 3, paragraph 7, in the national implementation reports

11. The secretariat presented a quantitative and qualitative analysis of the national implementation reports submitted by Parties to the third session of the Meeting of the Parties. The Chair presented, and invited the Task Force to comment on, draft terms of reference for developing an appropriate means of reporting on article 3, paragraph 7, the latter to be integrated in the general reporting requirements at the fourth ordinary Meeting of the Parties.

12. The Task Force agreed with the procedure proposed by the Chair for developing an appropriate means of reporting on article 3, paragraph 7. In accordance with this procedure, the Task Force would prepare draft elements for an appropriate means of reporting on article 3, paragraph 7, and submit these to the Working Group for its consideration at its twelfth meeting. The Task Force would also invite the Compliance Committee to comment on the draft elements and to submit its comments to the Working Group so that these might be considered by the Working Group at its twelfth meeting together with the draft elements.

13. At the invitation of the Chair, the Task Force provided comments on possible draft elements that the requirements for reporting on article 3, paragraph 7, might include. The Chair indicated that he would take account of the Task Force's comments when preparing a proposal on the appropriate means of reporting on article 3, paragraph 7, for discussion at the fifth meeting of the Task Force.

V. Update on compendium of good practices and evaluation of outcomes of consultation process

14. The secretariat sought guidance from the Task Force regarding the document to be prepared pursuant to paragraph 2 (b) of decision III/4 evaluating the outcomes of the consultation process on the Almaty Guidelines carried out by the Task Force in the last intersessional period. The general view of the Task Force was that it should be directed towards the broader public, and thus should be written in an accessible journalistic style, but that it would be useful to circulate the document to relevant international forums, too.

15. The secretariat reported that the compendium of case studies of good practice on promoting public participation in international forums to be prepared pursuant to paragraph 2 (c) of decision III/4 would be prepared following the workshop to be held back to back with the fifth meeting of the Task Force in early 2010, and would include case studies discussed at that workshop.

VI. Outreach to interested international forums

16. The Chair presented, for discussion by members of the Task Force, an outline proposal for future outreach to interested international forums (see annex). The outline proposal received broad support, particularly the proposal for a workshop following up on the previous workshop held on 20–21 June 2007 and the proposal to build a network of interested representatives of international forums to establish an ongoing platform for exchange. The view was expressed that costs should be kept to a minimum and it was noted

that holding the meetings of the Task Force and the workshop back to back would assist with this.

VII. Close of the meeting

17. The Chair thanked the experts for their work during the meeting, and the secretariat for its support of the work of the Task Force, and closed the meeting.

Annex

Outline proposal for future outreach to interested international forums

1. Through paragraph 2 (a) of decision III/4 (ECE/MP.PP/2008/2/Add.6) of the Meeting of the Parties, the Meeting requested the Task Force to continue outreach to interested international forums, but in a more focused way than previously, for example through joint workshops, on a bilateral or limited multilateral basis, or by inviting representatives of interested international forums to attend meetings of the Convention bodies.

2. Bearing in mind the recognition in decision III/4 that the first priority in respect of the implementation of article 3, paragraph 7, in the current intersessional period should be on assisting the Parties to do so, it is proposed that the majority of the work on future outreach would take place in the period following discussion at the fifth meeting of the Task Force in 2010, although some preparatory work may be begun earlier.

3. Possible future outreach might include the following elements:

(a) The first level of possible future outreach might be to invite representatives of one or more of the other UNECE multilateral environmental agreements or other interested international forums to attend a meeting of an Aarhus Convention body:

(i) The representatives could be invited to make a presentation at either the fifth meeting of the Task Force or the twelfth meeting of the Working Group;

(ii) The representatives could each be invited to share examples of good practices and challenges in promoting access to information and public participation in their forum;

(b) The second level of possible future outreach might be to organize a joint workshop of representatives of one or more of the other UNECE multilateral environmental agreements and/or representatives of international forums dealing with a particular theme or a cluster of themes such as water and development projects, to exchange information on good practices and challenges in promoting access to information and public participation:

(i) This workshop might be held in early 2011, back to back with the meeting of the sixth meeting of the Task Force;

(ii) The purpose of the workshop would be to provide a forum in which a small number of forums working on related or complementary themes could come together to exchange good practices and challenges in promoting access to information and public participation. Examples of related or complementary themes might include water, energy, infrastructure projects, development finance, environmental impact assessment and strategic environmental assessment;

(iii) The workshop would be designed so as to build upon the outcomes of the consultation process carried out by the Task Force in the last intersessional period by exploring more deeply the themes of most relevance to the invited forums;

(iv) The workshop would involve a mixture of presentations and discussion groups, with greater emphasis on the latter;

(v) The workshop might have 50–70 participants, to include:

- a. Representatives of invited international forums (secretariat, governments, other stakeholders);
 - b. Aarhus Convention Parties, including their focal points in the invited international forums;
 - c. Experts of the Task Force;
 - d. Civil society;
 - e. Academia;
- (vi) The envisaged outcomes from the workshop would include:
- a. A report of the workshop, to be submitted to the thirteenth meeting of the Working Group for its consideration;
 - b. The foundations for a network of interested representatives of international forums for ongoing exchanges of information on good practices and challenges in promoting access to information and public participation;
- (c) The third level of possible future outreach might be to further develop the network of interested representatives of international forums following the workshop and to establish an ongoing platform for exchange, either electronically and/or with periodic meetings.
