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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

Task Force on Access to Justice

Tenth meeting

Geneva, 27 and 28 February 2017

Item 1 of the provisional agenda

Opening and adoption of the agenda

Annotated provisional agenda for the tenth meeting¹

To be held in Salle XI, Palais des Nations, Geneva
starting at 10 a.m. on Monday, 27 February 2017

I. Provisional agenda

1. Opening and adoption of the agenda.
2. Thematic focus: Enabling effective access to justice without persecution and harassment.
3. Taking stock of recent developments.
4. Tools to promote effective access to justice.
5. Other business.
6. Closing.

¹ The document was not formally edited.

II. Annotations

The Task Force on Access to Justice under the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) was established, and the mandate laid down, by the Meeting of the Parties to the Convention at its second session (Almaty, Kazakhstan, 25-27 May 2005). It was further extended in time by the Meeting of the Parties to the Convention through decision V/3 adopted at its fifth session (Maastricht, the Netherlands, 30 June and 1 July 2014)². The work's scope was also outlined in the Strategic Plan 2015-2020 and the Work Programme 2015-2017 adopted through decisions V/5 and V/6 respectively by the Meeting of the Parties at the same session³.

The present meeting aims to provide a platform for exchanging information on key recent developments concerning legislation, policy and case law with regard to the implementation of the third pillar of the Convention and possible measure to remove barriers hampering its implementation. The thematic session of the meeting will focus on enabling effective access to justice for all without persecution and harassment. In addition, delegates will discuss issues related to (a) the scope of review, (b) adequate and effective remedies, (c) costs, legal aid and other measures to reduce financial barriers; and (d) any other emerging issues or issues of a systemic nature that might impede the implementation of the third pillar of the Convention. Furthermore, the participants also will examine tools to promote effective access to justice, including specialization of judges, courts and tribunals, e-justice initiatives, evaluation of effectiveness and capacity-building initiatives.

The Task Force bases its work on the outputs delivered at the previous meetings. The background material for the meeting includes relevant information derived from 2017 and 2014 national implementation reports⁴ and the 2014 synthesis report⁵ as well as the Implementation Guide⁶, relevant Compliance Committee findings⁷ of a systemic nature, analytical studies⁸ and jurisprudence database⁹.

Each session will feature brief introductory presentation(s) sharing experiences of the Parties to the Convention and stakeholders related to the agenda (sub)items followed by contributors' interventions and interactive discussion. Delegates who are interested to make a presentation, intervention or statement at the meeting on the key developments, emerging issues or issues of a systemic nature regarding the implementation of the third pillar of the Convention are kindly invited to contact the secretariat (public.participation[at]unece.org) as soon as possible, preferably by **6 February 2017**, briefly outlining its focus in relation to the agenda items. The list of speakers will be released shortly before the meeting.

1. Opening and adoption of the agenda

*Timing*¹⁰: *Monday, 27 February, 10–10.10 a.m.*

The Task Force will be invited to adopt the agenda as set out in the present document.¹¹

² The text of decision is available from http://www.unece.org/env/pp/aarhus/mop5_docs.html

³ The texts of decisions are available from http://www.unece.org/env/pp/aarhus/mop5_docs.html

⁴ 2017 and 2014 National implementation reports are available from <http://apps.unece.org/ehlm/pp/NIR/index.asp>

⁵ The 2014 synthesis report (ECE/MP.PP/2014/6) is available from [http://www.unece.org/env/pp/aarhus/mop5_docs.html/](http://www.unece.org/env/pp/aarhus/mop5_docs.html#/) (Category II document)

⁶ The Implementation Guide is available from <http://www.unece.org/index.php?id=35869&L=0>

⁷ Compliance Committee findings are available from <http://www.unece.org/env/pp/cc.html>

⁸ Analytical studies are available from http://www.unece.org/env/pp/tfaj/analytical_studies.html

⁹ The jurisprudence database is available from <http://www.unece.org/env/pp/tfaj/jurisprudenceplatform.html>

¹⁰ Coffee breaks might be held during the meeting if time permits.

¹¹ All documents will be made available from <http://www.unece.org/env/pp/aarhus/tfaj10#/>

2. Thematic focus: Enabling effective access to justice without persecution and harassment

Timing: Monday, 27 February, 10.10 a.m. –1 p.m.

The session is expected to discuss measures that could protect persons seeking justice and exercising their rights in conformity with the Aarhus Convention from the possibility of persecution and harassment and advance the implementation of article 3, paragraph 8, of the Convention. Delegates are invited to share challenges, good practices, lessons learned and information on recent legislative and practical developments as well as identify further needs in relation to this subject.

3. Taking stock of recent developments

Timing: Monday, 27 February, 3–6 p.m.

The session is expected to discuss issues related to (a) the scope of review, (b) adequate and effective remedies, (c) costs, legal aid and other measures to reduce financial barriers; and (d) any other emerging issues or issues of a systemic nature that might impede the implementation of the third pillar of the Convention. Delegates are invited to share information on important legislative, policy and case law developments regarding these issues and identify barriers, challenges and needs to further promote effective access to justice.

4. Tools to promote effective access to justice

Timing: Tuesday, 28 February, 10 a.m.–12.40 p.m.

The session is expected to discuss issues related to (a) promoting specialization of judges, courts and tribunals, e-justice initiatives and other measures to ensure timeliness of judicial review procedure in environmental matters; (b) evaluating the effectiveness of domestic administrative and judicial review procedures in environmental matters; and (c) capacity-building initiatives.

5. Other business

Timing: Tuesday, 28 February, 12.40–12.45 p.m.

Delegates wishing to propose issues under this item are requested to inform the secretariat as soon as possible.

6. Closing

Timing: Tuesday, 28 February, 12.45–1 p.m.

The Chair will summarise the key outcomes of the meeting and close it.