

Task Force on Access to Information**First meeting**

Geneva, 7–8 February 2013

Item 2 of the provisional agenda:

Public access to environmental information:**Key messages from the region****PUBLIC ACCESS TO ENVIRONMENTAL INFORMATION: POSSIBLE PRIORITIES FOR THE WORK**

Discussion paper

Prepared by the Chair with support of the secretariat

The discussion paper was prepared on the basis of analysis of the current status of implementation of articles 4 and 5 of the Convention and obstacles encountered by the Parties based on the reporting and compliance mechanisms provided in the background paper “Public Access to Environmental Information: Overview of implementation” (AC/TF.AI/Inf.2).

The document aims to facilitate discussions during the first meeting of the Task Force on Access to Information (Geneva, 7-8 February 2013) aiming to identify possible substantive priorities for its activities with a view of continuing the work in the next intersessional period, subject to the decision by the Meeting of the Parties at its fifth session.

Delegates are invited to consult this document in advance of the meeting and submit their comments by 30 January 2013 to [public.participation \[at\] unece.org](mailto:public.participation[at]unece.org).

1. Through decision IV/1 on access to information adopted by the Meeting of the Parties at its fourth session (Chisinau, 29 June – 1 July 2011), the Parties recognized the need to continue strengthening implementation of the first pillar of the Convention so as to provide effective public access to environmental information and actively disseminate it to the public.

2. In accordance with the Strategic Plan 2009-2014¹ adopted through decision III/8 by the Meeting of the Parties at its third session (Riga, 11-13 June 2012), the Parties agreed to implement the following objectives related to public access to environmental information as far as possible:

(a) Public authorities at all levels and in all relevant sectors of government have well-established information policies and mechanisms, under which environmental information of high quality is routinely provided and proactively disseminated to the public in a user-friendly manner, making full use of electronic tools where available (*Objective I.7*);

(b) The range of environmental information that is made available to the public is gradually widened, inter alia, by developing and implementing mechanisms enabling more informed consumer choices as regards products, thereby contributing to more sustainable patterns of production and consumption (*Objective III.2*);

(c) Through exchange of information and good practice, consideration is given on how to promote increasing accessibility of environmental information held by the private sector, taking into account relevant issues of confidentiality of commercial and industrial information and protection of intellectual property rights in line with the current approach under the Convention (*Objective III.2*).

3. Supporting further implementation of the first pillar of the Convention, the Meeting of the Parties at its second session adopted Recommendations on the more effective use of electronic information tools to provide public access to environmental information through decision II/3 adopted by the Meeting of the Parties at its second session

¹ Document (ECE/MP.PP/2008/2/Add.16) is available from:

http://www.unece.org/fileadmin/DAM/env/pp/mop3/ODS/ece_mp_pp_2008_2_add_16_e_StPl.pdf

(Almaty, Kazakhstan, 25-27 May 2005). In addition, the draft Guidance for National Nodes of the Clearinghouse mechanism was developed.

4. Furthermore, in decision IV/6 on the work programme for 2012–2014, the Parties decided to give general priority to issues related to compliance and implementation, including capacity-building. Description of the current status of implementation of articles 4 and 5 of the Convention and obstacles encountered by the Parties based on the reporting and compliance mechanisms is provided in the background paper “Public Access to Environmental Information: Overview of implementation” (AC/TF.AI/Inf.2).

5. While the Parties are encouraged to continue strengthening implementation of all provisions of the first pillar of the Convention and without prejudice to decision IV/1 on access to information, the Task Force on Access to information may decide to give particular priority to the following substantive issues to be addressed under its current mandate with a view of possible continuing the work in the next intersessional period:

- (a) The scope of environmental information and public access to environment-related information available to public authorities other than responsible for environmental protection (e.g. land administration authorities);
 - (b) Providing sufficient environmental information with regard to products;
 - (c) Access to environmental information and copyright protection;
 - (d) Protection of a legitimate economic interest through protected by law confidentiality of commercial and industrial information related to the environment and the public interest served by disclosure of such information;
 - (e) Access to raw data and primary statistical data related to environmental information;
 - (f) Improving dissemination of priority categories of information in accordance with decision II/3 adopted by the Meeting of the Parties at its second session.
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