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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

Sixth session

Budva, Montenegro, 11–13 September 2017

Item 8 (b) of the provisional agenda

**Promotion of the Convention and relevant developments
and interlinkages: promotion of the Convention's principles**

Draft decision VI/4 on promoting the application of the principles of the Convention in international forums*

Prepared by the Bureau

Summary

The present document sets out a draft decision on promoting the application of the principles of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters in international forums, prepared by the Bureau of the Meeting of the Parties to the Convention.

In view of its mandate to “make such proposals and recommendations to the Meeting of the Parties as it considers necessary for the achievement of the purposes of the Convention” (ECE/MP.PP/2/Add.15, para. 2 (d)), at its twentieth meeting (Geneva, 15–17 June 2016) the Working Group of the Parties requested the Bureau to prepare a draft decision on promoting the application of the principles of the Convention in international forums for consideration by the Meeting of the Parties at its sixth session.

The Bureau prepared an initial draft decision on the basis of the relevant outcomes of the twentieth meeting of the Working Group, the note by the Chair of the thematic

* There have been no major substantive changes made to the most recent version of the text, published as document ECE/MP.PP/WG.1/2017/L.4. The present document is therefore being submitted for publication without formal editing.



session on promoting the application of the principles of the Convention in international forums (AC/WGP-20/Inf.5) submitted to that meeting, the outcomes of the work undertaken by the Working Group to promote the Convention's principles in international forums during the current intersessional period and the previous decision of the Meeting of the Parties on the same subject (decision V/4).

As agreed, the initial draft was then distributed to Parties and stakeholders on 27 September 2016, with a deadline of 7 November 2016 for comments. The Bureau considered the comments received and prepared a revised version of the document for further consideration and approval by the Working Group at its twenty-first meeting (Geneva, 4–6 April 2017).

At its twenty-first meeting, the Working Group revised and approved, as amended at the meeting, the draft decision on promoting the application of the principles of the Convention in international forums (AC/WGP-21/CRP.4)¹ and requested the secretariat to submit it to the Meeting of the Parties for consideration at its sixth session.

¹ Available from <http://www.unece.org/index.php?id=43897#/>.

The Meeting of the Parties,

Recalling article 3, paragraph 7, of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention),

Recalling also its decisions II/4, III/4, IV/3 and V/4 on promoting the principles of the Convention in international forums, V/5 on the Strategic Plan for 2015–2020 and VI/5 on the Work Programme for 2018–2021,

Noting Human Rights Council resolution 32/31 on civil society space, which emphasizes “the essential role of civil society in subregional, regional and international organizations, including in support of the organizations’ work”, where that work is relevant to the Convention,

Also noting the reports of the United Nations Special Rapporteur on the rights to freedom of peaceful assembly and of association in relation to the exercise of these rights in the context of multilateral institutions,

Mindful of the importance of increasing understanding of the challenges faced and the good practices employed by international forums with respect to public participation, through further sharing of experience gained under the Convention with international forums,

Welcoming the increasing number of requests from interested international forums seeking expert assistance from the secretariat and Parties on this topic,

Acknowledging the progress made by Parties, international organizations, international financial institutions, non-governmental organizations and other stakeholders in promoting the application of the Convention’s principles,

Mindful of major ongoing international processes, including those related to sustainable development, climate change, chemical and waste management, international financial institutions, stakeholder participation and access to information policies of other United Nations agencies and programmes and international trade negotiations;

Recognizing that expert assistance is an important and powerful tool for promoting the principles of the Convention and sharing the considerable experience accumulated under the Aarhus Convention in an efficient and direct manner,

Also recognizing the valuable work that has been done to implement article 3, paragraph 7, of the Convention, while acknowledging the considerable challenges that still need to be addressed to fully implement this provision,

Having reviewed the reports on the thematic sessions on promoting the principles of the Convention in international forums, held at the Working Group’s nineteenth, twentieth, and twenty-first meetings (see ECE/MP.PP/WG.1/2015/2, ECE/MP.PP/WG.1/2016/2 and ECE/MP.PP/WG.1/2017/2),

1. *Notes with appreciation* the work undertaken under the auspices of the Working Group of the Parties, which has provided a true multi-stakeholder platform for effectively addressing a number of important issues;
2. *Expresses* its gratitude to France for its ongoing leadership of this work area;
3. *Reiterates* its commitment to continue to apply the Almaty Guidelines on Promoting the Application of the Principles of the Aarhus Convention in International Forums (Almaty Guidelines), adopted through decision II/4, within the activities and subsidiary bodies established under the Convention;

4. *Encourages* each Party to:

(a) Undertake further actions to promote public participation at the national level regarding international environmental decision-making processes and to take appropriate actions within the framework of international organizations in matters relating to the environment, bearing in mind relevant provisions of the Almaty Guidelines;

(b) Interact within and between its ministries to inform officials involved in other relevant international forums about article 3, paragraph 7, of the Convention and the Almaty Guidelines;

(c) Consider innovative ways to improve its own public's access to information and participation in international forums and to share its experience with other Parties;

(d) Consider the relevance of the Convention's principles to ongoing processes under international forums related to the environment in advance of the meetings of these forums and continue, either individually or in collaboration with other Parties, signatories or like-minded Governments, to promote the principles of the Convention in the procedures of other international forums and in the work programmes, projects, decisions, instruments and other substantive outputs of those forums whose practices do not presently reflect the Almaty Guidelines or the principles of the Convention;

(e) Consider providing expert assistance to other interested Parties, signatories or Governments on possible good practices to facilitate more effective public participation in international forums, including when hosting important international events;

(f) Use as a guidance the checklist of measures prepared under the auspices of the Convention when developing action plans to systematically promote the principles of the Convention in all international forums dealing with matters relating to the environment;

5. *Decides* to continue the work on promoting the application of the principles of the Convention in international forums under the authority of the Working Group of the Parties;

6. *Requests* the Working Group:

(a) To convene regularly, on a needs basis, a thematic session on promoting the principles of the Convention in international forums during its meetings, with a view to providing opportunities for Parties, signatories and stakeholders to exchange experiences in the context of promoting the application of the principles of the Convention with respect to those international forums within the definition of paragraph 4 of the Almaty Guidelines identified by Parties or stakeholders to be of particular priority; if it considers that one or more specific issues merit more in-depth consideration, to convene, on an ad hoc basis, a workshop or other event on that theme, and/or mandate a consultant or group of experts to examine the subject and to report on their findings to the Working Group, depending on the availability of resources;

(b) To focus on forums dealing with climate change, chemicals and waste, biosafety, and trade negotiations, recognizing that other forums might be also considered, subject to a decision by Parties;

(c) To continue addressing cross-cutting issues (e.g., innovative practices; different modalities for engaging stakeholders; and self-organization of stakeholders);

(d) To continue monitoring the efforts to promote the principles of the Aarhus Convention with regard to the stakeholder engagement and access to information policies of the United Nations Environment Programme, when implementing the 2030 Agenda for Sustainable Development and in international financial institutions;

7. *Requests* the secretariat:

(a) To oversee the collection and dissemination of good practices and innovative initiatives to promote the principles of the Convention through the Aarhus Good Practice online database;

(b) Subject to availability of resources, to provide upon request expert assistance, including, as appropriate, commenting on draft documents and expert participation at meetings or events organized by international forums, training sessions, workshops, learning centres or other platforms:

(i) To interested international forums seeking to make their processes more transparent and participatory;

(ii) To individual Parties wishing to put in place tools or mechanisms to assist the public to participate more effectively in international forums, including when hosting an important conference of any international forum;

8. *Invites* Parties, signatories, international and other organizations to continue supporting the implementation of article 3, paragraph 7, of the Convention:

(a) At the national level, by supporting the participation of the public before, during and in the follow-up to meetings and events of international forums;

(b) At the international level, by supporting international forums to promote more effective public participation in their projects, processes and policies;

(c) By supporting the activities of the Convention's work programme on this topic, including the secretariat's expert assistance and capacity-building work, in order that it may respond usefully to the expected ongoing demand;

9. *Welcomes* the offer of France to lead the work on promoting the application of the principles of the Convention in international forums.
