
Economic Commission for Europe

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

Item 8 (b): Promotion of the Convention's principles

Wednesday, 13 September, 10.30–11.15 a.m.

Report by the Chair of the thematic session on promoting the application of the principles of the Convention in international forums

I. The rationale for advancing the application of the principles of the Convention in international forums

1. There are a number of major international processes ongoing, including those related to the adoption of the 2030 Agenda for Sustainable Development, the Paris Climate Agreement, IFIs, UNEP stakeholders and information policies as well as various international trade negotiations.

2. For some international processes, progress has been achieved in transparency and provision of public access to information, such as formal and informal documents, draft documents, national contributions, positions by Parties and observers through web portals and various electronic information tools (e.g. UNFCCC, WTO). Also public participation was promoted through civil society dialogues (e.g. European Commission), observer participation in the High-level Segments and thematic events (e.g. UNFCCC) and the engagement of major groups at national and international level (e.g. SDGs).

3. Certain challenges and limitations, however, remain at all levels with regard to full implementation of these Aarhus Convention principles:

- (a) Application of principles of the Aarhus Convention as well as existing best practices of multilateral institutions when developing engagement and access to information policies (e.g. UNEP);
- (b) Provision of tailor-made information (e.g. Trade) to the public as well as late circulation of documents for commenting make it difficult for observers to provide useful, informed input (e.g. UNFCCC);
- (c) Use of the most appropriate means for disseminating information as, for instance, social media may not always be suitable for sharing information of a technical nature;
- (d) Public access to meetings (e.g. WTO);
- (e) Formal rules for stakeholder participation and involvement in decision-making at High-level Political Forums and High-level Segments (e.g. SDGs, UNFCCC);
- (f) Public participation with regard to opportunities for observer interventions in plenary sessions as well as access to informal consultations and documents discussed during informal negotiation session (e.g. UNFCCC).
- (g) Sharing of good practices between international forums to globally improve rules and regulations for public participation rules in international forums.

- (h) Civil society engagement in the implementation of the Paris Agreement and the 2030 Agenda for Sustainable Development
- (i) Promoting the application of the principles of the Convention as to raise awareness, ensure public participation and sensitize public opinion on key issues such as environment and health (e.g. through the European Environment and Health Process).
- (j) Bridging the gap between stakeholder involvement, which was seen as an opportunity for the engagement of a limited number of well-established NGOs, and public participation as provided by the Convention, which was a much broader and more inclusive process.
- (k) Mobilizing greater financial resources, as lack of funding has created additional hurdles for NGO participation in international forums.
- (l) Collecting comments from NGOs throughout the preparations for international conferences and negotiations. In that context preparations at the national level should not be neglected.

II. The outcomes of the work in the current intersessional period

Thematic sessions during the Working Group of the Parties

4. During the current inter-sessional period, the activities of the Working Group of the Parties on promoting the application of the principles of the Convention in international forums was guided by decision V/4, adopted by the Meeting of the Parties at its fifth session (Maastricht, Netherlands 30 June-1 July 2014). Pursuant to this decision, thematic sessions on promoting the application of the principles of the Convention in international forums were held during the nineteenth (Geneva, 17-19 June 2015), twentieth (Geneva, 15-17 June 2016) and twenty-first (Geneva, 4-6 April 2017) meeting of the Working Group of the Parties.

5. The thematic sessions aimed to build on the previous discussions held at the meetings of the Working Group of the Parties and shed light on the work done by Parties to promote the Convention's principles in various other forums. Participants at these sessions also had the opportunity to discuss ways to offer advisory support to forums that were in the process of revising their policies on access to information, transparency, public participation and review mechanisms. In this regard, the Almaty Guidelines on Promoting the Application of the Principles of the Aarhus Convention in International Forums (Almaty Guidelines) have been a source of reference for several forums.

During this intersessional period a number of recurrent issues were addressed by the Working Group of the Parties namely:

- (a) progress made with regard to promoting the Convention's principles when implementing, following-up and reviewing the 2030 Agenda for Sustainable Development
- (b) progress made with regard to promoting effective access to information and stakeholder engagement at UNEP
- (c) Promotion of the principles of the Aarhus Convention in the UNFCCC processes and lessons learned from the meetings of the UNFCCC Conferences of the Parties (COP 21 and COP 22)

In addition the thematic sessions focused on the following themes:

- (a) Promotion of the Convention's principles in trade negotiations (at the nineteenth meeting of the Working Group of the Parties)
- (b) Recent developments in promoting the principles of the Aarhus Convention in the policies of international financial institutions (at the twentieth meeting of the Working Group of the Parties)

(c) Promotion of the Convention's principles in international decision-making on environment and health matters (at the twenty-first meeting of the Working Group of the Parties)

Support material to facilitate the application of the principles of the Convention in international forums

6. A checklist of measures to be borne in mind by Parties when developing a national action plan to systematically promote the principles of the Convention in all international forums dealing with matters relating to the environment has been prepared. Checklist is now available in English and French. The translation into Russian is being finalized.

7. A leaflet summarizing the Almaty Guidelines and the promotion of the Convention principles in international forums is also available in English French and Russian. It aims at assisting Parties as well as other interested States and stakeholders in understanding and applying the Almaty Guidelines.

8. Surveys were also carried out on various issues of importance including broader initiatives by Parties and other stakeholders to promote the principles of the Convention in international forums related to climate change, trade negotiations, in the European Environment and Health Process and in international financial institutions. The results of these surveys were presented during the thematic sessions at the nineteenth, twentieth and twenty-first meeting of the Working Group of the Parties.

Promotion of principles and provision of expert advice

9. In addition, the secretariat has promoted the principles of the Convention in and provided advisory support to various international forums, which is reflected in the report on implementation of the work programme. These included for example UNEP, the Economic Commission for Latin America and the Caribbean, the United Nations Department of Economic and Social Affairs; other environmental treaty bodies, such as the Convention on Biological Diversity and its Protocol on Biosafety; and other international organizations and financial institutions, inter alia, OSCE, OECD, the World Bank, the European Investment Bank and the European Bank for Reconstruction and Development. Moreover, the secretariat participated in the 2015 International Financial Institutions' Working Group Meeting on information disclosure and stakeholder engagement. At the request of the UNFCCC secretariat, the secretariat provided expert advisory assistance to the UNFCCC secretariat with respect to observer engagement at COP21. The secretariat also took part in the consultation processes regarding UNEP's Access-to-Information policy and the World Bank's proposed new environmental and social framework.

III. Future work

Issues to be given priority

10. During the next inter-sessional period, work will continue with respect to international forums focusing on climate change and trade negotiations, and also will address new themes, such as biosafety, chemicals and waste. Parties and stakeholders will also continue addressing cross-cutting issues (e.g., innovative practices; different modalities for engaging stakeholders; and self-organization of stakeholders). Moreover, the progress achieved so far in promoting the Convention's principles in international financial institutions as well as the development of a UNEP stakeholder engagement and access to information policy will be further monitored. Particular attention will also be given to monitoring the progress of promoting the Convention's principles when implementing the 2030 Agenda for Sustainable Development. In addition, Parties or stakeholders may identify other international forums to be of particular priority.

11. It is important for Parties to 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. Inter- and intra-ministerial coordination are of key importance, therefore mechanisms should be in place to ensure effective implementation of article 3, paragraph 7 of the Convention and the Almaty Guidelines.

12. I call upon Parties to make use of every future opportunity to exchange knowledge and expertise and provide expert assistance on good practices to facilitate more effective public participation in international forums, including when hosting important international events

Methods of work

13. For the next inter-sessional period, it is expected that work in this area should continue through similar to the current intersessional period formats:

- (a) Actions taken by Parties, at the national and international levels.
 - (b) Thematic sessions at the Working Group of the Parties.
 - (c) Expert assistance to international forums, Parties and other interested States.
 - (d) Collection of good practices on effective public participation in international forums.
 - (e) Surveys on different subjects.
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