

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

Twenty-fourth meeting

Geneva, 1–3 July 2020

Item 8 of the provisional agenda

Substantive issues: Promotion of the principles of the Convention in international forums

Note by the Chair of the thematic session on promoting the application of the principles of the Convention in international forums on possible future directions for the work¹

This note was prepared by the Chair of the thematic session on promoting the application of the principles of the Convention in international forums to facilitate the discussion on the future work in this area and preparation of the draft elements of the future work programme by the Bureau at its 46th meeting (Geneva, 25-26 February 2020) and by the Working Group of the Parties at its 24th meeting (Geneva, 1-3 July 2020).

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

Thematic sessions during the Working Group of the Parties

1. 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 is guided by decision VI/4², adopted by the Meeting of the Parties at its sixth session (Budva, Montenegro 11–14 September 2017). Pursuant to this decision, thematic sessions on promoting the application of the principles of the Convention in international forums were held during twenty-second and twenty-third meetings of the Working Group of the Parties to the Aarhus Convention (19-21 June 2018 and 26-28 June 2019). Similar sessions are planned for twenty-fourth and twenty-fifth meetings of the Working Group, scheduled to take place on 1-3 July 2020 and in 2021.

2. The latest thematic sessions in 2018 and 2019 focused in-depth on the following themes:

(a) Promotion of transparency and effective public participation in international decision-making on chemicals and waste. This included panel presentations and round table discussion on processes under the United Nations Environment Programme's Chemical Conventions (Basel, Rotterdam, and Stockholm Conventions), the Minamata Convention on Mercury and the Strategic Approach to International Chemicals Management (SAICM).

(b) Promotion of the principles of the Convention in the policies of international financial institutions (IFIs) with the focus on the Asian Infrastructure Investment Bank (AIIB), the European Bank

¹ This document was not formally edited.

² See: https://www.unece.org/fileadmin/DAM/env/pp/mop6/Decison_Excerpts_EN/Decision_VI_4.pdf

for Reconstruction and Development (EBRD), the European Investment Bank (EIB) and the World Bank Group. This included updates by IFIs on the current status and plans regarding policies on access to information and stakeholder engagement, capacity building activities and on the main challenges identified in implementing these policies and Party's successful experience of the legislative framework requirements for the approval and implementation of IFI-funded projects regarding the environment, including policies and impact assessments.

(c) Cross-cutting issues, such as innovative practices, different modalities for engaging stakeholders, self-organization of stakeholders, hosting an international event and identification of the public, by illustrating a successful example on the review of the Mediterranean Strategy for Sustainable Development.

(d) Lessons learnt regarding climate-related processes with the focus on twenty-third, twenty-fourth and twenty-fifth sessions of the Conference of the Parties (COP) to the United Nations Framework Convention on Climate Change (UNFCCC).

3. In addition, progress was regularly reviewed in promoting the principles of the Convention in the context of 2030 Agenda on Sustainable Development processes; and with regard to access to information and stakeholder engagement within the framework of the United Nations Environment Assembly and IFIs.

4. During the thematic sessions, representatives of the secretariats of the above instruments, Parties to the Convention and stakeholders shared their diverse experiences.

5. Simple surveys were carried to gather relevant information on specific subjects from Parties and stakeholders.

6. In addition to the useful and very lively discussions led to sharing knowledge among Parties and stakeholders, valuable material has been produced through the work, including presentations that illustrate different good practices, challenges and lessons learnt, and reports on the sessions that include Parties' commitments and Chair's summaries, outlining achievements, key trends, gaps and required actions.

7. The next thematic sessions are expected to focus on themes such as trade negotiations and processes related to International Civil Aviation Organization (at WGP-24 in 2020) and the issue of biosafety (at WGP-25 in 2021). In addition, progress will be reviewed in promoting the principles of the Convention in the context of 2030 Agenda on Sustainable Development processes; with regard to access to information and stakeholder engagement within the framework of the United Nations Environment Assembly, IFIs and UNFCCC.

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

8. The two following material produced under the Convention continued to facilitate the application of the principles of the Convention in international forums:

- 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, available in English, French and Russian.

- A leaflet summarizing the Almaty Guidelines and the promotion of the Convention principles in international forums, available in English, French and Russian.

9. The above materials aim at assisting Parties, interested States and stakeholders in understanding and applying the Almaty Guidelines on Promoting the Application of the Aarhus Convention in International Forums³.

Promotion of principles and provision of expert advice⁴

10. The secretariat has promoted the principles of the Convention in and provided advisory support to various international forums, including UNEP, UNFCCC, the Economic Commission for Latin America and the Caribbean, the Food and Agriculture Organization of the United Nations, the United Nations Centre for Trade Facilitation and Electronic Business, the Inter-Organization Programme for the Sound Management of Chemicals, the Minamata Convention on Mercury, the Convention on the Transboundary Effects of Industrial Accident, the Convention on Environmental Impact Assessment in a Transboundary Context, the Organization for Economic Cooperation and Development; processes under the Human Rights Council, and financial institutions, inter alia the World Bank, the European Investment Bank and the European Bank for Reconstruction and Development.

Conclusions

11. Outcomes of the work demonstrated that noticeable progress has been achieved by many Parties and international forums. This was demonstrated through good practices they shared at the meetings and through surveys. At the same time, a number of challenges remain in relation to both: international forums that have been regularly reviewed (e.g. UNFCCC, IFIs) and new forums brought to Parties' attention (e.g. ICAO). Also, several key measures shall be still furthered by Parties, including to strengthen expert capacity of staff in authorities to effectively engage public in international decision-making process in countries; promote cooperation between national focal points for the Aarhus Convention and for other international forums; strengthen expert capacity of staff in authorities in relation to hosting international events; undertake awareness-raising and capacity-building activities to promote public' understanding of and engagement on complex issues considered by forums; and promote to negotiators at different forums the requirement to apply the Aarhus Convention's principles to that forums' proceedings. In addition, understanding and awareness of obligations of the Convention's article 3.7 in relation to specific forums requires further promotion among Parties, stakeholders and relevant forums.

12. Promotion of the principles of the Convention in international forums has a far-reaching effect. It brings a positive change through strengthening transparency and effective public participation in international decision-making on critical environmental subjects. Due to a vast cross-cutting scope of the activities, they support Governments' efforts to achieve many Sustainable Development Goals related to specific forums and, in particular, Goals 16 and 17.

³ See: <https://www.unece.org/fileadmin/DAM/env/documents/2005/pp/ece/ece.mp.pp.2005.2.add.5.e.pdf>

⁴ See (sections III.B): https://www.unece.org/fileadmin/DAM/env/pp/wgp/WGP-22/ODS/ECE_MP.PP_WG.1_2018_4_E.pdf and https://www.unece.org/fileadmin/DAM/env/pp/wgp/WGP-23/ODS/ECE_MP.PP_WG.1_2019_5_E.pdf

II. Future work

Issues to be given priority

13. During the next inter-sessional period, it is proposed to focus the work on several new substantive areas, such as marine environment; air pollution; forests; and environmental effects of agriculture and land use. These issues are among the current most pressing global environmental challenges. In addition, Parties or stakeholders may identify other international forums to be of particular priority.

14. Moreover, the progress achieved in promoting the Convention's principles in IFIs, climate change- and sustainable development-related decision-making, as well as in UNEP and UNEA processes, should be further monitored.

Methods of work

15. For the next intersessional period, it is proposed that work in this area should continue through formats similar to those used in the current intersessional period:

(a) Actions taken by Parties, at the national and international levels, this may include thematic workshops.

(b) Thematic sessions at the meetings of the Working Group of the Parties.

(c) Expert assistance to international forums and Parties, including through trainings and workshops at the relevant events.

(d) Collection of good practices on effective public participation in international forums.

(e) Surveys on specific issues.

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

16. To address challenges identified through the above-mentioned activities, for the next intersessional period it is suggested to develop:

(a) Guide on hosting international events to assist host countries in applying relevant good practices as regards access to information and public participation.

(b) Guiding material explaining obligations related to article 3.7 tailored to each specific forum (dealing with e.g. chemicals; climate change; trade; health matters etc.) as to assist Parties, interested countries, stakeholders and relevant forums.