

**25th Meeting of the Working Group to the Aarhus Convention
(Virtual, 7-8 June 2021)**

Agenda item 7

**Opening of the second slot and adoption of procedures to facilitate
remote participation and decision-making in the meeting**

Norway

Thank you Chair,

And good morning to you and all participants. Norway would like to thank the Bureau and the Secretariat for the draft procedures to facilitate remote participation and decision-making.

Norway supports the procedures as originally proposed.

We have the following comments to the amendments proposed by the EU and its Member States and ECO Forum:

Paragraph 6: We do not see the need for the amendments proposed by ECO Forum. The paragraph uses the word "*should*". It is therefore not an absolute obligation but a strong recommendation. Adding "*to the best of their abilities*" as proposed by ECO Forum therefore in our opinion unnecessarily weakens the recommendation.

Paragraph 14 litra a): We support the proposal by EU and its Member States to replace "*shall*" by "*should*" as it is in line with the use of "*should*" in para 6 and in the chapeau of para 14. We do however not support adding "*make best efforts*" in addition to replacing "*shall*" by "*should*". As "*should*" is not an obligation but a strong recommendation, adding "*make best efforts*" unnecessarily weakens the recommendation. Consequently, the choice should be made between replacing "*shall*" by "*should*" or keeping "*shall*" and add "*make best efforts*". We support replacing "*shall*" by "*should*".

Paragraph 14 litra double aa) and b): The proposals from EU and its Member States for addition to litra b) and the proposal from ECO Forum to add a new litra aa) concern the possibility to make comments and suggestions to the documents during the meeting, even if no changes have been proposed in accordance with litra a), and to reserve their final position for the Meeting of the Parties. We consider this to be sufficiently clear from litra d), and from the fact

that the procedures concern the procedures of this meeting of the Working Group under the current special circumstances and not the division of competence between the Working Group and the Meeting of the Parties. It follows from Article 10 of the Convention that final decisions are to be taken at the Meeting of the Parties. Specific procedures for one meeting can not change this division of competences.

That being said, there is no harm in trying to make this clearer if Parties or stakeholders nevertheless consider this necessary.

We therefore propose to merge the proposals from EU and its Member States by adding the following at the end of litra b):

"In line with para (d) below, this does not preclude Parties or stakeholders from commenting on the documents, in particular, taking into account new developments, during the meeting or at the Meeting of the Parties to the Convention where final decisions are to be made,"

Paragraph 15: ECO Forum has proposed that any informal side meetings initiated by the Chair shall be announced to all Parties and stakeholders, that any Party or stakeholder not initially invited may request to participate and that the European ECO Forum shall be encouraged to be represented as observer. Norway believes that as a main rule, such meetings should be open for participation or observation by those interested. However, if some Parties and stakeholders have expressed strong and different opinions on an issue, meetings between those Parties and stakeholders may be an efficient way to solve the issue. We agree that such meetings and participation should be clearly and openly announced, and that other Parties and stakeholders may request participation, but that it should be up to the Chair, in consultation with the Vice-Chairs and the secretariat, to decide who should participate or observe. As the European ECO Forum may thus request to participate or observe even if they are not initially invited by the Chair, we do not see the need for a special encouragement for them to observe.

We therefore instead propose the following addition at the end of paragraph 15:

"If the Chair invites Parties or stakeholders to informal side meetings, this should be announced to the meeting of the Working Group. Parties or stakeholders not initially included in the invitation may request to participate or observe. The Chair, in consultation with the Vice-Chairs and the secretariat, will decide and announce who will participate or observe. "

Thank you Chair.