

**25th Meeting of the Working Group to the Aarhus Convention
(Virtual, 7-8 June 2021)
Agenda item 9 (b): Public Participation**

Norway

Thank you Chair,

Norway would like to thank the Bureau and the Secretariat for the draft decision on public participation.

We support the draft as originally proposed.

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

Paragraph 13(c): The addition proposed by ECO Forum in Norway's opinion seems to expand the mandate of the Task Force, as it requests it to take action in the form of exchange of good practises in order to ensure that public participation rights are respected. Ensuring respect for the Convention is however within the mandate of the Compliance Committee and the Meeting of the Parties. Furthermore, all guidance from the Compliance Committee is highly relevant and should be taken into account. It does however follow from the chapeau of paragraph 13 that the Task Force shall take into account relevant material. The list of material to be taken into account is not exhaustive. If it is nevertheless considered necessary to mention the specific statement and recommendation because they relate to the matter covered by this litra, the proposed amendment should read as proposed by the EU and its Member States, that is to replace follows;

"taking into account the guidance provided by the Compliance Committee statement of 2 September 2020 ECE/MP.PP/C.1/2020/5/Add.1 and its recommendations ECE/MP.PP/C.1/2021/6;"

Paragraph 13(d)(i): Although we are not opposed to the Task Force identifying the main obstacles to early public participation in decision-making in relation to new technologies, bearing in mind the scope of Article 6 as set out in its paragraph 1 litra (a) and Annex I, we question whether it is necessary or appropriate to mention explicitly experimentation with and deployment of new technologies, as this would imply a conclusion as to the scope of the Convention in this regard. If it is to be specifically mentioned, it should be mentioned in the

chapeau of litra (d) in a way that makes it clear that this does not imply any conclusion as to the scope of the Convention in this regard.

Paragraph 13(d)(iv): Norway does not quite understand the reasons behind the last part of the proposed amendment and therefore does not see the necessity to include it. We agree that particular attention should be paid to obstacles to effective participation by vulnerable and marginalized groups. It does however already follow from the chapeau of litra d) that the issues mentioned in the sublitras are those to be addressed in particular. If we add any other groups affected or likely to be affected, it could be a challenge to pay particular attention to all groups.

Paragraph 13(d)(vi): Norway understands the reasons behind the proposal by EU and its Member States to introduce a qualifier to the requirement to take account of comments from the public in final decisions. Different qualifiers are used in Article 6 paragraph 8 and Article 8 of the Convention. The qualifier proposed is different from them both. As it would be difficult to find a qualifier that matches both of those used in the Convention, it may be more appropriate to just refer to the Convention. We therefore propose to add such a reference at the end of the first part of the sentence in paragraph 13(d)(vi), which would then read as follows:

*" (vi) Ensuring that account is taken of comments from the public in the final decisions **as required by the Convention**, and..."*

Thank you Chair.