

## **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**

**Seventh session, including High-Level Segment**  
Geneva, 18–21 October 2021

#### **Draft list of key decisions and outcomes<sup>1</sup>**

*to be adopted by the Meeting of the Parties at its seventh session*

**Day 1 and Day 2: 18-19 October 2021**

#### Preparatory segment

### **2. Adoption of the agenda**

The Meeting of the Parties

- i. Took note of the information provided by the Chair and the secretariat.
- ii. Took note of statements and other relevant information provided by the European Union, Norway, Switzerland and NGO European ECO-Forum.
- iii. Adopted the provisional agenda of the meeting (ECE/MP.PP/2021/1).
- iv. Adopted the operating procedures to facilitate remote participation and decision-making in the seventh session of the Meeting of the Parties to the Convention due to extraordinary circumstances (ECE/MP.PP/2021/CRP.1), as amended at the meeting.

### **3. Finalization of pending documents**

#### **(a) Draft decision on effective public participation in decision-making**

The Meeting of the Parties

- i. Took note of statements and other relevant information provided by Italy and NGO European ECO-Forum;
- ii. Approved the draft decision (ECE/MP.PP/2021/CRP.2), as amended at the meeting, and forwarded it to the general segment of the seventh session for provisional adoption.

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<sup>1</sup> This document was not formally edited. The decisions and outcomes contained in the document will be incorporated in the report of the meeting.

**(b) Draft decision on reporting requirements**

The Meeting of the Parties

- i. Took note of statements and other relevant information provided by Malta and the Republic of Moldova;
- ii. Approved the draft decision (ECE/MP.PP/2021/CRP.3), as amended at the meeting, and forwarded it to the general segment of the seventh session for provisional adoption.

**(c) Draft decision VII/9 on a rapid response mechanism to deal with cases related to article 3 (8) of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters**

The Meeting of the Parties

- i. Took note of statements and other relevant information provided by Austria, Belarus, the European Union, Ireland, Norway, Switzerland and European ECO Forum.

*The Meeting of the Parties considered draft decision VII/9 on a rapid response mechanism to deal with cases related to article 3 (8) of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, and agreed to continue discussion on this draft decision at the general segment.*

**(d) Draft Declaration**

The Meeting of the Parties

- i. Took note of statements and other relevant information provided by Belarus, the European Union, Norway, Switzerland and the United Kingdom of Great Britain and Northern Ireland,
- ii. Approved the draft decision (ECE/MP.PP/2021/CRP.4-ECE/MP.PRTR/2021/CRP.1), as amended at the meeting, and forwarded it to the general segment of the seventh session for provisional adoption.

**(e) Draft decision on financial arrangements**

The Meeting of the Parties

- i. Took note of the statements and other relevant information provided by the European Union, Georgia, Norway, Switzerland, the United Kingdom.

*The Meeting of the Parties considered draft decision VII/6 on financial arrangements under the Convention, and agreed to continue discussion on this draft decision at the general segment.*

**(f) Draft decisions on compliance**

The Meeting of the Parties

- i. Took note of the statements and other relevant information provided by Armenia, Belarus, Bulgaria, the European Union, Ireland, Kazakhstan, Kyrgyzstan, Lithuania, Norway, Spain, Switzerland, Tajikistan, Turkmenistan, United Kingdom and NGO European ECO-Forum;
- ii. Provisionally adopted:
  - Draft decision VII/8 (a) on compliance by Armenia (ECE/MP.PP/2021/24);
  - Draft decision VII/8 (b) on compliance by Austria (ECE/MP.PP/2021/25);
  - Draft decision VII/8 (d) on compliance by Bulgaria (ECE/MP.PP/2021/27);
  - Draft decision VII/8 (e) on compliance by Czechia (ECE/MP.PP/2021/28);
  - Draft decision VII/8 (g) on compliance by Germany (ECE/MP.PP/2021/30);
  - Draft decision VII/8 (h) on compliance by Hungary (ECE/MP.PP/2021/31);
  - Draft decision VII/8 (i) on compliance by Ireland (ECE/MP.PP/2021/32);
  - Draft decision VII/8 (j) on compliance by Italy (ECE/MP.PP/2021/33);
  - Draft decision VII/8 (k) on compliance by Kazakhstan (ECE/MP.PP/2021/34);
  - Draft decision VII/8 (l) on compliance by Lithuania (ECE/MP.PP/2021/35);
  - Draft decision VII/8 (m) on compliance by the Netherlands (ECE/MP.PP/2021/36);
  - Draft decision VII/8 (n) on compliance by the Republic of Moldova (ECE/MP.PP/2021/37);
  - Draft decision VII/8 (o) on compliance by Romania (ECE/MP.PP/2021/38)
  - Draft decision VII/8 (p) on compliance by Spain (ECE/MP.PP/2021/39)
  - Draft decision VII/8 (q) on compliance by Turkmenistan (ECE/MP.PP/2021/40)
  - Draft decision VII/8 (r) on compliance by Ukraine (ECE/MP.PP/2021/41)
  - Draft decision VII/8 (s) on compliance by the United Kingdom (ECE/MP.PP/2021/42)and forwarded the above-mentioned draft decisions to the general segment of the seventh session for provisional adoption.

*The Meeting of the Parties considered the draft decision VII/8 on general issues of compliance (ECE/MP.PP/2021/23), and agreed to continue discussion on this draft decision at the general segment.*

*The Meeting of the Parties considered the draft decision VI/8 (c) on compliance by Belarus (ECE/MP.PP/2021/26), and agreed to continue discussion on this draft decision at the general segment.*

*The Meeting of the Parties considered the draft decision VI/8 (f) on compliance by European Union (ECE/MP.PP/2021/29), and agreed to continue discussion on this draft decision at the general segment.*

## General segment

### **4. Opening of the general segment**

The Meeting of the Parties took note of the statement by Mr. Marco Keiner, Director, UNECE Environment Division.

### **5. Status of ratification of the Convention and the amendment to the Convention**

The Meeting of the Parties:

- i. Took note of the status of ratification of the Convention and its amendment. Since the previous session of the Meeting of the Parties in 2017, the number of Parties to the Convention has remained unchanged: there are 47 Parties to the Convention;
- ii. Welcomed the ratification of the GMO amendment by Albania. The number of Parties to the amendment to the Convention had risen from 31 to 32.

### **6. Substantive issues**

#### **(a) Access to information, including electronic information tools**

The Meeting of the Parties:

- i. Took note of the report of the Chair of the Task Force on Access to Information on the activities of the Task Force since the sixth session of the Meeting of the Parties.
- ii. Thanked Mr. Chris Steenmans, European Environment Agency, and Mr. Christian Schaible, European ECO Forums, for their keynote addresses.
- iii. Provisionally adopted Draft decision VII/1 on promoting effective access to information (ECE/MP.PP/2021/8)
- iv. Provisionally adopted Draft updated recommendations on the more effective use of electronic information tools (ECE/MP.PP/2021/20 and ECE/MP.PP/2021/20/Add.1)
- v. Thanked the Task Force for the work done during the intersessional period and to the Chair for her skilled leadership.
- vi. Expressed its appreciation to Republic of Moldova for chairing the Task Force and welcomes its offer to continue leading this work area in the next intersessional period.

**(b) Public participation in decision-making**

The Meeting of the Parties:

- i. Took note of the report by the Chair of the Task Force on Public Participation in Decision-making on the activities of the Task Force since the sixth meeting of the Parties
- ii. Thanked Ms. Stock, European ECO Forums, for her keynote address.
- iv. Provisionally adopted Draft decision VII/2 on promoting effective public participation in decision-making (ECE/MP.PP/2021/CRP.2).
- v. Thanked the Task Force for the work done during the intersessional period and its Chair for her skilled leadership.
- vi. Expressed its appreciation to Italy for chairing the Task Force and welcomes its offer to continue leading this work area in the next intersessional period.

**(c) Access to justice**

The Meeting of the Parties:

- i. Took note of the report by the Chair of the Task Force on Access to Justice on the activities of the Task Force since the sixth Meeting of the Parties (due to connection problems, the Chair was not able to deliver the statement but it has been made available on the meeting website).
- ii. Thanked Ms. Lorena Çabej, Legal Advisor at the Supreme Court of and Mr. Csaba Kiss, European ECO-Forum for their keynote addresses.
- iii. Took note of statements and other relevant information provided by the European Union, Norway, Switzerland and NGO European ECO-Forum.
- iii. Provisionally adopted Draft decision VII/3 on promoting effective access to justice (ECE/MP.PP/2021/10).
- iv. Thanked the Task Force for the work done during the intersessional period and to its Chair for his skilled leadership.
- v. Expressed its appreciation to Sweden for chairing the Task Force and welcomed the offer of Belgium to lead this work area in the next intersessional period.

**(d) Genetically modified organisms**

The Meeting of the Parties:

- i. Took note of the report by the Chair of the third Joint Round Table on Public Awareness, Access to Information and Public Participation regarding LMOs/GMOs on the activities of the thematic session since the sixth meeting of the Parties and thanked the Chair for the work done and for his skilled leadership

- ii. Thanked Ms. Wadzanayi Mandivenyi, secretariat of the Convention on Biological Diversity, and Ms. Antje Lorch, European ECO-Forum, for their keynote addresses.
- iii. Took note of statements and other relevant information provided by the European Union, United Kingdom and NGO European ECO-Forum.
- iv. Urged Parties whose ratification of the GMO amendment would count towards its entry into force — i.e., Armenia, Azerbaijan, Belarus, Kazakhstan, Kyrgyzstan, North Macedonia, Tajikistan, Turkmenistan and Ukraine — to take urgent steps towards ratification of the GMO amendment; and called upon other Parties to ratify the GMO amendment.
- v. Mandated the Working Group to monitor closely the progress of entering in force of the GMO amendment.
- vi. Called upon Parties and partner organizations to offer bilateral assistance, capacity-building and technical support to Parties whose ratification of the GMO amendment would count towards its entry into force.
- vii. Requested that amended text of the Convention once it enters into force should be processed, translated and published by the United Nations services and be made available in the six official languages of the United Nations without recourse to additional extra-budgetary resources.
- viii. Thanked Austria for its leadership in this area of work and welcomed its offer to continue leading this work area in the next intersessional period.
- ix. Welcomed the effective cooperation between the secretariats of the Aarhus Convention and of the Convention on Biological Diversity and its Cartagena Protocol on Biosafety and requested to continue this cooperation in the next intersessional period through e.g., organizing a joint event.

## **7. Procedures and mechanisms facilitating the implementation of the Convention**

### **(a) Reporting mechanism**

The Meeting of the Parties:

- i. Took note of the information provided in national implementation reports submitted by Parties and the synthesis report prepared by the secretariat.
- ii. Took note of reports prepared by stakeholders.
- iii. Recognized the need for timely submission of national implementation reports in order to ensure a good quality of the synthesis report and its timely submission for translation.
- iv. Noted with regret that 40% (19 Parties) of the Parties did not submit their reports by the set deadline.
- v. Urged Parties that have not submitted their national implementation reports: Azerbaijan, Malta, the Netherlands, Republic of Moldova and Tajikistan to do so by latest 1 December 2021 in required format.
- vi. Expressed its deep concern that the Republic of Moldova had also still not yet submitted its national implementation report for the fifth 2017

reporting cycle — the only country that had not done so — and called upon the Compliance Committee under paragraph 13 (c) of the annex to decision I/7 to consider the ongoing failure by the Republic of Moldova to submit its report for the fifth and sixth cycles.

- vii. Took note of statements and other relevant information provided by the European Union and NGO European ECO-Forum.
- viii. Provisionally adopted draft decision VII/7 on reporting requirements, as amended at the meeting (ECE/MP.PP/2021/CRP.3).

## **(b) Compliance mechanism**

The Meeting of the Parties:

- i. Paid tribute to Mr. Veit Koester, who had passed away in September 2021.
- ii. Welcomed the Reports by the Compliance Committee (ECE/MP.PP/2021/44 and ECE/MP.PP/2021/45).
- iii. Thanked the Chair and other Compliance Committee members for their work in this intersessional period.
- iv. Thanked Mr. Andriy Andrusevych, European ECO-Forum, for his keynote address.
- v. Took note of statements and other relevant information provided by the European Union, Norway, NGO European ECO-Forum.
- vi. Provisionally adopted
  - Draft decision VII/8 (a) on compliance by Armenia (ECE/MP.PP/2021/24);
  - Draft decision VII/8 (b) on compliance by Austria (ECE/MP.PP/2021/25);
  - Draft decision VII/8 (d) on compliance by Bulgaria (ECE/MP.PP/2021/27);
  - Draft decision VII/8 (e) on compliance by Czechia (ECE/MP.PP/2021/28);
  - Draft decision VII/8 (g) on compliance by Germany (ECE/MP.PP/2021/30);
  - Draft decision VII/8 (h) on compliance by Hungary (ECE/MP.PP/2021/31);
  - Draft decision VII/8 (i) on compliance by Ireland (ECE/MP.PP/2021/32);
  - Draft decision VII/8 (j) on compliance by Italy (ECE/MP.PP/2021/33);
  - Draft decision VII/8 (k) on compliance by Kazakhstan (ECE/MP.PP/2021/34);
  - Draft decision VII/8 (l) on compliance by Lithuania (ECE/MP.PP/2021/35);
  - Draft decision VII/8 (m) on compliance by the Netherlands (ECE/MP.PP/2021/36);
  - Draft decision VII/8 (n) on compliance by Republic of Moldova (ECE/MP.PP/2021/37);
  - Draft decision VII/8 (o) on compliance by Romania (ECE/MP.PP/2021/38);
  - Draft decision VII/8 (p) on compliance by Spain (ECE/MP.PP/2021/39);

Draft decision VII/8 (q) on compliance by Turkmenistan  
(ECE/MP.PP/2021/40);

Draft decision VII/8 (r) on compliance by Ukraine (ECE/MP.PP/2021/41);

Draft decision VII/8 (s) on compliance by the United Kingdom  
(ECE/MP.PP/2021/42):

Provisionally adopted draft decision, as amended at the meeting

Draft decision VII/8 (f) on compliance by European Union  
(ECE/MP.PP/2021/CRP.6/Rev.1),

With regard to draft decision VI/8 (f) on compliance by European Union  
(ECE/MP.PP/2021/CRP.6/Rev.1), the Meeting of the Parties agreed to  
include the following accompanying text in the report of its seventh  
session and reflect the statements by Norway, Switzerland and ECO Forum  
in the meeting report as follows:

The Meeting of the Parties

- i. Adopts draft decision VII/8f concerning compliance by the European Union with its obligations under the Convention, as amended at the meeting.
- ii. Decides to include in the meeting report the following text:

With regard to draft decision VII/8f concerning compliance by the European Union with its obligations under the Convention, the Meeting of the Parties agreed to include the following text in the report of its seventh session:

“In the spirit of reaching consensus, the Meeting of the Parties exceptionally decided, by consensus, to postpone the decision-making on the Committee’s findings and recommendations on communication ACCC/C/2015/128 (European Union) to the next ordinary session of the Meeting of the Parties to be held in 2025. The Meeting of Parties stresses that this exceptional decision shall in no way establish a practice under the Convention. The Meeting of the Parties also requested the Committee to review any developments that have taken place regarding the matter, and to report to the Meeting of the Parties accordingly.”

In this context, the Party concerned stated that it reaffirms its commitment to implement its obligations under the Convention. In this regard, the Meeting of the Parties:

Took note of the statements by Norway, Switzerland and ECO Forum and of their requests to reflect their positions in the meeting report.

- vi. Re-elected by consensus the following member of the Compliance Committee: Ms. Áine Ryall, nominated by Ireland.



- vii. Elected by consensus Ms. Eleanor Sharpsten, nominated by Luxembourg and Mr. Thomas Schomerus, nominated by Ökobüro on behalf of European ECO-Forum (NGO) as new members of the Compliance Committee.

*The Meeting of the Parties continued deliberations on the draft decision VII/8 on general issues of compliance (ECE/MP.PP/2021/23).*

*The Meeting of the Parties continued deliberations on the draft decision VI/8 (c) on compliance by Belarus (ECE/MP.PP/2021/26).*

### **(c) Rapid response mechanism to deal with cases related to article 3 (8) of the Convention**

The Meeting of the Parties:

- i. Welcomed the offer of Austria and Ireland to lead the newly established rapid response mechanism and welcomed their offer to provide financial support to the rapid response mechanism for the next intersessional period.
- ii. Thanked Ms. Mary Lawlor, Special rapporteur human rights defenders and Mr. Yves Lador, European ECO-Forum, for their keynote addresses.
- iii. Took note of statement and other relevant information provided by UNEP.

*The Meeting of the Parties continued deliberations on the draft decision on a rapid response mechanism to deal with cases related to article 3 (8) of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (ECE/MP.PP/2021/19).*

### **(d) Capacity-building**

The Meeting of the Parties

- i. Thanked Ms. Laura Altinger, UNDP, Mr. Christian Melis, OSCE, and Ms. Olga Zakharova of Aarhus Centre Belarus, for their keynote addresses.
- ii. Took note of the information provided by Armenia, the European Union, Georgia and European ECO-Forum on the capacity-building activities undertaken during the intersessional period to promote more effective implementation of the Convention;
- iii. Welcomed the work undertaken by partner organizations as presented in report on capacity-building (ECE/MP.PP/2021/7) and expressed its appreciation to partner organizations for their continued support to the implementation of the Convention;
- iv. Requested the secretariat to continue servicing capacity-building coordination mechanism;
- v. Encouraged national focal points to the Convention to support assistance programmes which address the capacity-building needs regarding the Aarhus Convention and Principle 10 of the Rio Declaration;

- vi. Reiterated its call to Parties to continue reaching out to authorities responsible for development assistance and technical cooperation to explore the possibility of integrating the Convention into those programmes as a critical enabler for sustainable development;
- vii. Reiterated its call on Parties to liaise with officials supporting the work related to the United Nations Sustainable Development Cooperation Framework to make sure that: the needs related to the Convention's implementation were addressed in the Framework; and the nexus approach to environment, human rights and good governance received special attention in the Framework.

## **9. Programme of work and operation of the Convention**

### **(d) Financial arrangements**

The Meeting of the Parties

- i. Took note of statements and other relevant information provided by the European Union, Norway and Switzerland;
  - ii. Provisionally adopted draft decision on financial arrangements (ECE/MP.PP/2021/CRP.7), as amended at the meeting.
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