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in Environmental Matters

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**Procedures and mechanisms facilitating the implementation
of the Convention: capacity-building**

Report on capacity-building*

**Prepared by partner organizations and the secretariat of the
Convention on Access to Information, Public Participation in
Decision-making and Access to Justice in Environmental Matters**

Summary

The present report on capacity-building activities and the accompanying document (AC/MOP-7/Inf.3) were prepared by partner organizations and the secretariat pursuant to the work programme for 2018–2021 for the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, adopted by the Meeting of the Parties to the Convention at its sixth session (Budva, Montenegro, 11–13 September 2017).

* The present document was submitted late owing to additional time required for its finalization.



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Introduction

1. Through the work programme for 2018–2021 adopted at its sixth session (Budva, Montenegro, 11–13 September 2017), the Meeting of the Parties to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) decided to give general priority to the issue of compliance and implementation, including capacity-building (ECE/MP.PP/2017/2/Add.1, decision VI/5, annex I).

2. The Convention's Strategic Plan for 2015–2020 (ECE/MP.PP/2014/2/Add.1, decision V/5, annex), adopted at the fifth session of the Meeting of the Parties (Maastricht, the Netherlands, 30 June and 1 July 2014), reiterated the role of capacity-building activities in the implementation of the Convention. Parties and the secretariat, in cooperation with other organizations, were identified as partners in the implementation of capacity-building activities in accordance with objective I.5 of the Strategic Plan.

3. The present report on capacity-building was prepared by the secretariat jointly with the following partner organizations: the European Commission; the European Environment Agency, the European ECO-Forum; the Organization for Security and Cooperation in Europe (OSCE); the United Nations Environment Programme (UNEP), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the United Nations Development Programme (UNDP) and the United Nations country teams.

4. The report provides an overview of the major capacity-building activities supporting the implementation of the Convention and Principle 10 of the Rio Declaration on Environment and Development (Rio Declaration) that were carried out in the intersessional period 2018–2021 and in connection with the Convention's Strategic Plan 2015–2020. It intends to facilitate a discussion on possible further work on capacity-building in the next intersessional period. The report provides limited information regarding capacity-building activities related to the Protocol on Pollutant Release and Transfer Registers (PRTRs), as they are considered under the framework of the International PRTR Coordinating Group.¹

5. Capacity-building activities reported by the partner organizations are detailed in the accompanying document to this report (AC/MOP-7/Inf.3).²

6. Additionally, information related to the capacity-building activities carried out by the secretariat during this period can be found in the report on the implementation of the work programme for 2018–2021 (ECE/MP.PP/2021/3).³

7. Capacity-building activities carried out by Parties, signatories and other interested States were also reported at the meetings of the Working Group of the Parties and task forces during the period 2018–2021.⁴

I. Capacity-building Coordination Framework

8. Capacity-building Coordination Framework meetings under the Convention and the International PRTR Coordinating Group served as an effective platform to discuss the

¹ See <https://unece.org/environment-policy/public-participation/international-prtr-coordinating-group>.

² Available at https://unece.org/environmental-policy/events/Aarhus_Convention_MoP7 (under category II pre-session documents tab).

³ Available at https://unece.org/environmental-policy/events/Aarhus_Convention_MoP7 (under category II pre-session documents tab).

⁴ Additional information on the meetings is available at [http://www.unece.org/environmental-policy/conventions/public-participation/meetings-and-events.html#/.](http://www.unece.org/environmental-policy/conventions/public-participation/meetings-and-events.html#/)

progress in and plans for capacity-building activities regarding the implementation of the Aarhus Convention, Principle 10 of the Rio Declaration and the Protocol on PRTRs, respectively.

9. The Convention's secretariat convened the eleventh and twelfth meetings of the Capacity-building Coordination Framework in Geneva on 9 October 2018 (in-person) and 11 May 2021 (online), respectively.⁵ The meetings addressed the activities carried out since the sixth session of the Meeting of the Parties to the Convention and detailed future plans. In addition to these meetings, consultations were regularly held through electronic means with partner organizations on numerous specific activities.

10. To learn more about capacity-building needs in countries of Eastern and South-Eastern Europe, the Caucasus and Central Asia, the secretariat conducted a survey in 2020–2021 and collected seven responses⁶ that were fairly distributed among the subregions. The survey outcomes were addressed in the present report and discussed with partner organizations at the twelfth meeting of the Capacity-building Coordination Framework.

11. The United Nations Economic Commission for Europe (ECE) secretariat also used the Aarhus Clearinghouse for Environmental Democracy⁷ and PRTR.net⁸ to promote outcomes of capacity-building activities carried out by partner organizations and to share identified good practices.

II. Supporting implementation of the Convention

A. General observations

12. The survey responses indicated international technical cooperation assistance and national budgets as the main sources for strengthening capacities in the implementation of the Convention in countries of Eastern and South-Eastern Europe, the Caucasus and Central Asia. A small number of projects were financed by non-governmental organizations (NGOs), the private sector and other interested stakeholders.

13. Half of the respondents reported that the capacity-building programmes relating to the implementation of the Aarhus Convention were carried out on a periodic basis. Other respondents reported the practice of having continuous or one-time capacity-building activities.

14. Partner organizations continued to play a crucial role in promoting and assisting in implementation of the Convention at the national and subregional levels in the current intersessional period, in particular, in countries with economies in transition.

15. Some partner organizations had discontinued or changed their approach to operations in the current intersessional period. In particular, the new United Nations Sustainable

⁵ For details, see documents of the eleventh and twelfth meetings of the Aarhus Convention Capacity-building Coordination Framework, available from <https://unece.org/env/pp/aarhus-convention-capacity-building> (meetings of capacity-building coordination tab).

⁶ The completed questionnaires were provided by Montenegro and Serbia for South-Eastern Europe, Armenia and Georgia for the Caucasus and Kazakhstan, Kyrgyzstan and Tajikistan for Central Asia. More information is available at <https://unece.org/environmental-policy/events/twelfth-meeting-capacity-building-coordination-framework>.

⁷ Available at <https://aarhusclearinghouse.unece.org/>.

⁸ Available at <https://prtr.unece.org/>.

Development Cooperation Framework had been rolled out in 17 countries,⁹ and currently covers programmes for 2021–2025. The secretariat regularly provides input on capacity-building matters to different processes under this Framework. The Framework offers a solid opportunity for multi-partner capacity-building activities to promote the environment-good governance-human rights nexus in those countries, namely through its regional- and national-level components: the regional United Nations Issue-based Coalition on Environment and Climate Change and the country-level programme development. Such collaboration is in line with General Assembly resolution 71/243 on the quadrennial comprehensive policy review of operational activities for development of the United Nations system¹⁰ and the *Guidance on Integrating the Environment and Climate Change in Processes for United Nations Sustainable Development Cooperation Frameworks*.¹¹

16. Additionally, several activities promoting the Convention and the Protocol on PRTRs have been carried out by the ECE Regional Advisers and the secretariat with the support of the ECE Regular Programme of Technical Cooperation.

17. OSCE, through the Office of the Coordinator of OSCE Economic and Environmental Activities and OSCE field operations, in close cooperation with the secretariat, continued to provide significant support to the implementation of the Aarhus Convention and the Protocol on PRTRs in countries of Eastern and South-Eastern Europe, the Caucasus and Central Asia.

18. The Aarhus Centres¹² and Public Environmental Information Centres constituted the major component of OSCE support in this respect. As of 2021, there is a wide network of more than 50 Aarhus Centres in 16 countries in South-Eastern Europe (Albania, Bosnia and Herzegovina, Montenegro, North Macedonia and Serbia), Eastern Europe (Belarus, the Republic of Moldova and Ukraine), the Caucasus (Armenia, Azerbaijan and Georgia) and Central Asia (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan). The establishment and functioning of most of these Aarhus Centres are continuously supported by OSCE. The host Governments, the OSCE field operations and, in some countries, United Nations Development Programme offices are also among the major supporters of these Aarhus Centres. Further efforts to ensure the sustainability of Aarhus Centres remained crucially important.

19. The important role of Aarhus Centres and Public Environmental Information Centres in building capacities of authorities and members of the public to promote the implementation of the Convention was largely recognized in the survey responses. The Aarhus Centres have continued to be instrumental in providing a platform for Government officials, particularly from ministries of environment, to meet with members of non-governmental organizations (NGOs) and the private sector to build cooperative approaches to tackling environmental issues. Working both in capitals and in provinces, these Centres have been instrumental in promoting the implementation of the Aarhus Convention at the national and local levels, in helping Governments fulfil their respective obligations under the Convention and in involving the public in environmental decision-making.

20. OSCE also organized annual meetings of the Aarhus Centres to exchange experiences and lessons learned. These meetings (Issyk-Kul, Kyrgyzstan, 19 and 20 September 2018, Vienna, 16 and 17 October 2019, and online, 10 and 11 November 2020) were widely attended by representatives of Governments, including the Convention's national focal

⁹ Albania, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Georgia, Kazakhstan, Kyrgyzstan, Montenegro, North Macedonia, the Republic of Moldova, Serbia, Tajikistan, Turkey, Turkmenistan, Ukraine and Uzbekistan.

¹⁰ A/RES/71/243.

¹¹ United Nations Issue-based Coalition on Environment and Climate Change, 2021. Available at: https://unece.org/IBC_Env/key-resources .

¹² Available at <https://aarhus.osce.org/> .

points, Aarhus Centres, NGOs, the secretariat of the Aarhus Convention and OSCE field operations in the respective countries and other relevant partner organizations. The next meeting (online) is planned for 23 and 24 September 2021. The online platform dedicated to the activities of Aarhus Centres has been continuously developing.

21. The Aarhus Centres also continued to share good practices and lessons learned at the meetings of the Convention's Task Forces and Working Group of the Parties.

22. The European Commission continued to support various Aarhus-related activities through the LIFE programme,¹³ the European Neighbourhood and Partnership Instrument,¹⁴ the Technical Assistance and Information Exchange¹⁵ and Twinning¹⁶ instruments. These activities pursued the general objective of contributing to the implementation, updating and development of European Union environmental policy and legislation (including Aarhus-related legislation) by co-financing pilot or demonstration projects with European added value.

23. NGOs, also within the framework of the European ECO-Forum, continued supporting numerous capacity-building activities that served to promote the Convention and its Protocol.

24. The coronavirus disease (COVID-19) pandemic had adverse implications on capacity-building activities in several countries, resulting in the postponement of programmes requiring in-person participation, deterring new activities or changing the format of the initially planned activities. Most conferences, training sessions, seminars and other capacity-building events were held in an online format in the period 2020–2021. Some respondents expressed concern over the loss of face-to-face exchange, social interaction and brainstorming possibilities during the online events, as well as over the increasing impact of digital divide for disadvantaged and vulnerable groups.

25. The survey outcomes indicated the greater interest of the target countries in short face-to-face workshops (1–2 days maximum), pilot projects, self-paced and moderated online course and face-to-face training sessions (1–2 weeks). The combination of e-learning tools at the beginning or in the middle of the project combined with face-to-face meetings was stressed by partner organizations as the most effective approach.

26. Several partner organizations reported the development of e-learning courses on environmental governance and on freedom of expression. For example, UNEP, in cooperation with the secretariat and the Economic Commission for Latin America and the Caribbean (ECLAC), launched an online course covering Sustainable Development Goal 16, the Aarhus Convention and the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement) on the InforMEA e-learning platform in English, French and Spanish.¹⁷ The relevant e-learning module¹⁸ was also developed by the secretariat of the Convention on Biological Diversity with input from the secretariat to promote access to information and public participation in the context of genetically modified organisms and living modified

¹³ The LIFE programme is a European Union funding instrument for the environment.

¹⁴ The European Neighbourhood and Partnership Instrument supports the European Neighbourhood Policy.

¹⁵ The Technical Assistance and Information Exchange instrument supports partner countries with regard to the approximation, application and enforcement of European Union legislation.

¹⁶ The Twinning programme provides a framework for administrations and semi-public organizations in beneficiary countries to work with their counterparts in European Union member States to facilitate the transposition, enforcement and implementation of European Union legislation.

¹⁷ See <https://elearning.informe.org/>.

¹⁸ See <https://scbd.unssc.org/course/view.php?id=40>.

organisms. UNESCO launched a global massive open online course for judicial actors¹⁹ and continued its work on online training modules on access to information.

27. Public authorities and members of the public, including NGOs, were mentioned by respondents as key target groups for ongoing and potential capacity-building activities, with a special focus on the local and subnational levels and on disadvantaged and vulnerable groups. Members of the judiciary, prosecutors, public interest lawyers and other legal professionals remained the target group for raising awareness on the application of the Convention related to the review procedures in environmental matters.

B. Access to information, including through pollutant release and transfer registers and electronic information tools

28. Most Parties in Eastern and South-Eastern Europe, the Caucasus and Central Asia have given a high priority to advancing digital transformation and the use of electronic information tools for the Convention's implementation and underscored existing challenges at the national, subnational and local levels in this area.

29. They need to strengthen capacities to provide public access to environmental information routinely and in case of emergencies and ensure transparency of public authorities dealing with environmental matters. There is also increasing demand for public access to environment-related product information in the light of the European Green Deal and other similar initiatives promoting green and circular economy.

30. The European Commission, the European Environment Agency, UNDP, OSCE and other partner organizations supported the implementation of relevant projects dedicated to effective access to environmental information and use of electronic information tools.²⁰

31. Forthcoming updated Recommendations on the more effective use of electronic information tools²¹ will provide valuable guidance for Parties, partner organizations and stakeholders to support relevant capacity-building in this area. Partner organizations are strongly encouraged to widely disseminate and translate these Recommendations in the required languages.

32. Further capacity-building activities in this area can focus on: (a) supporting modernization of environmental information systems and reporting on the state of the environment and to multilateral environmental agreements, establishing pollutant release and transfer register and user-friendly single web access points harnessing e-government and Open Data initiatives; (b) supporting initiatives related to citizen science and crowdsourcing; (c) promoting the application of tools to inform consumers, such as eco-labelling, energy-labelling, product passports, product declarations and warning labelling, green public procurement mechanisms; (d) supporting Aarhus Centres, media outlets, public libraries and other information sites to promote access to information by local communities or disadvantaged and vulnerable groups (for example, women, children, persons with disabilities); (e) providing assistance in reviewing legislation (especially related to the protection of whistle-blowers); and (f) providing assistance in training sessions and multi-stakeholder dialogues to improve public access to information.²²

¹⁹ See <https://en.unesco.org/news/unesco-and-oxford-university-launch-massive-open-online-course-judicial-actors-international>.

²⁰ See AC/MOP-7/Inf.3.

²¹ See ECE/MP.PP/2021/20 and ECE/MP.PP/2021/20/Add.1.

²² For more details, please see forthcoming decision VII/1 on promoting effective access to information, available at https://unece.org/environmental-policy/events/Aarhus_Convention_MoP7 (under category I pre-session documents tab).

33. Partner organizations are invited to continue implementing capacity-building activities that could assist interested Parties in promoting Open Government, Open Data, e-Government, the Shared Environmental Information System, geospatial information management, Earth observation and other similar initiatives that could make environmental information or data produced or commissioned by Governments publicly accessible and reusable.

C. Public participation in decision-making

34. According to the survey results, capacity-building with regard to public participation on specific activities and on plans, programmes and policies continues to be a very important priority in the countries of Eastern and South-Eastern Europe, the Caucasus and Central Asia. In addition, capacity-building with regard to public participation during the preparation of executive regulations and/or generally applicable legally binding normative instruments was recognized by respondents as being essential.

35. Strengthening countries' capacities in ensuring efficient and timely dissemination of information relevant to environmental decision-making also remains a priority. Access to documentation forming an integral part of environmental decision-making procedures regarding specific activities, including environmental impact assessment, State environmental *expertiza*,²³ as applicable, licences and permits, and strategic decision-making, including strategic environmental assessment, as applicable, needs further improvement.

36. OSCE and other partner organizations supported the implementation of relevant projects dedicated to effective public participation in decision-making.²⁴

37. Aarhus Centres in several countries, supported by OSCE, provided assistance in the dissemination of information relevant to decision-making both at the local and the national levels and in organizing and monitoring procedures of public participation in decision-making relating to the environment. They were also front-runners in assisting countries to test new approaches to support public participation during the social distancing measures imposed due to the COVID-19 pandemic.

38. The *Maastricht Recommendations on promoting effective public participation in decision-making in environmental matters*²⁵ provide a valuable tool for Parties. Partner organizations are invited to continue wide dissemination and translation of these Recommendations in the required languages.

39. Pilot projects supporting the target countries in organizing and carrying out model public hearings within the decision-making procedures relating to the environment received positive feedback and can be further promoted in interested countries.

40. Further capacity-building activities in this area can include: (a) assisting countries in reviewing legislation; (b) supporting pilot projects to carry out public participation procedures based on good practices; (c) developing training programmes or conducting training sessions at all levels for public officials to cover articles 6, 7 and 8 of the Convention; (d) assisting in developing e-participation tools and improving access through the Internet to information related to the decision-making procedure (especially environmental impact

²³ The OVOS/*expertiza* system is a development control mechanism followed in many countries of Eastern Europe, the Caucasus and Central Asia. In the view of the Aarhus Convention Compliance Committee, the OVOS and the *expertiza* should be considered jointly as the decision-making process constituting a form of environmental impact assessment procedure (see ECE/MP.PP/C.1/2013/9, para. 44).

²⁴ See AC/MOP-7/Inf.3.

²⁵ United Nations publication, Sales No. E.15.II.E.7.

assessment, strategic environmental assessment, permitting and licences, as well as State environmental *expertiza*); (e) conducting research with a view to collecting good practices and examples of practical means of promoting more effective and inclusive public participation; and (f) supporting training sessions/awareness-raising events on the obligations under article 3 (8) of the Convention targeting officials of public authorities, law enforcement agencies, prosecutors, members of the judiciary, international financial institutions, providers of private security services and developers; as well as other measures to protect environmental defenders, including awareness raising and guidance to the members of the public.

41. The specific focus of capacity-building activities could be on agriculture (Sustainable Development Goal 2); health-related issues linked to air pollution (Sustainable Development Goal 3); large-scale infrastructure and transport (Sustainable Development Goal 9); urban development/cities (Sustainable Development Goal 11); climate change (Sustainable Development Goal 13); fishery and oceans, seas, marine resources (Sustainable Development Goal 14); emerging technologies (Sustainable Development Goal 9 and others).²⁶

42. Partner organizations are invited to address the main obstacles to effective public participation in all types of decision-making within the scope of the Convention at the national, subnational and local levels, in particular with regard to issues of a systemic nature as specified in forthcoming decision VII/2, paragraph 13 (d).²⁷

D. Access to justice

43. Capacity development in the area of access to justice remains important due to a number of challenges in this area. The survey revealed the need of the countries in Eastern and South-Eastern Europe, the Caucasus and Central Asia to continue raising awareness and strengthening capacities of judiciary, prosecutors, other review bodies, members of Bar associations, public interest lawyers, other legal professionals, NGOs and members of the public in ensuring effective public access to justice and enforcement of the rule of law in environmental matters.

44. Capacity-building activities at the European Union level are supported by the European e-Justice Portal,²⁸ training modules for judges and prosecutors on European Union environmental law and training sessions for the judiciary and lawyers. The LIFE+ instrument provides possibilities to support relevant activities in this area, including activities involving public interest lawyers.

45. ECE, UNEP, OSCE and other partner organizations supported the implementation of relevant projects dedicated to effective access to justice at the national level through organizing training sessions for the judiciary, prosecutors and other legal professionals, as well as multi-stakeholder round tables.²⁹

46. Promotion of access to justice is also widely supported by the European ECO-Forum through its participation in the activities under the Convention's Task Force on Access to

²⁶ For more details, please see forthcoming decision VII/2 on promoting effective public participation in decision-making available at https://unece.org/environmental-policy/events/Aarhus_Convention_MoP7 (under category I pre-session documents tab).

²⁷ For more details, please see forthcoming decision VII/2 on promoting effective public participation in decision-making, available at https://unece.org/environmental-policy/events/Aarhus_Convention_MoP7 (under category I pre-session documents tab).

²⁸ See <https://e-justice.europa.eu/home.do?action=home> .

²⁹ See AC/MOP-7/Inf.3.

Justice, bringing knowledge in this area to its network and preparing the relevant analysis of case law within the European Union and the Court of Justice of the European Union.

47. Further capacity-building activities in this area could be focused on supporting national multi-stakeholder dialogues to remove existing barriers to access to justice, improving the relevant legislation, monitoring and evaluating the effectiveness of domestic administrative and judicial review procedures, promoting specialization of legal professionals and the use of independent expertise in environmental matters, addressing strategic lawsuits against public participation and providing information to the public on access to judicial and administrative review procedures, as well as access to the decisions of courts and other review bodies.³⁰

48. The above-mentioned activities will promote possibilities for members of the public to challenge acts or omissions that contravene permit requirements or laws relating to the environment, in particular in relation to the following issues: climate change; projects, plans and policies related to energy matters; chemicals and waste management; air and water quality; noise; biodiversity protection; and spatial planning.

49. Partner organizations are invited to support the above-mentioned activities, as well as the network of the judiciary, judicial training institutions and other review bodies in the pan-European region under the auspices of the Task Force.

E. Genetically modified organisms

50. The outcomes of the survey demonstrated that matters related to the application of the Aarhus Convention in activities related to genetically modified organisms/living modified organisms (GMOs/LMOs) remained important for countries of Eastern and South-Eastern Europe, the Caucasus and Central Asia. Activities related to the ratification and implementation of the amendment to the Convention on public participation in decisions on the deliberate release into the environment and placing on the market of genetically modified organisms (GMO amendment) should receive priority.

51. Ways to strengthen capacity-building development were discussed at the third Joint Round Table on Public Awareness, Access to Information and Public Participation regarding Living Modified Organisms/Genetically Modified Organisms (Geneva, 16–18 December 2019), which was jointly organized by ECE and the secretariat of the Cartagena Protocol on Biosafety to the Convention on Biological Diversity under the leadership of the Government of Austria. The event resulted in the identification of key actions for the way forward summarized by the Chair.³¹ The relevant issues were also discussed by the Task Force on Access to Information at its seventh meeting (Geneva (online), 16 and 17 November 2020)³² and by the Working Group of the Parties at its twenty-fifth meeting (Geneva (online) 3 May and Geneva (hybrid) 7 and 8 June 2021).³³

52. At the meetings, participants underscored the important role of Aarhus Centres, if available, or other relevant organizations, in helping to strengthen the capacities of authorities to promote effective access to information and public participation in GMO/LMO-related

³⁰ For more details, please see forthcoming decision VII/3 on promoting effective access to justice, available at https://unece.org/environmental-policy/events/Aarhus_Convention_MoP7 (under category I pre-session documents tab).

³¹ See <https://unece.org/environmental-policy/events/joint-global-round-table-lmosgmos>.

³² See <https://unece.org/environmental-policy/events/seventh-meeting-task-force-access-information-under-aarhus-convention> (AC/TF.AI-7/Inf.1, item 3).

³³ See <https://unece.org/environmental-policy/events/aarhus-convention-wgp-25> (under thematic session on GMOs tab).

issues, thereby assisting Parties to ratify the GMO amendment and implement the Aarhus Convention and the Cartagena Protocol in the context of GMOs/LMOs.

53. OSCE, UNDP, ECE and other partner organizations supported the relevant activities in this focus area in individual countries.³⁴

54. To strengthen capacities of Governments and stakeholders in providing effective access to information and public participation in decision-making processes regarding GMOs/LMOs, the “Pocket guide: promoting effective access to information and public participation regarding living modified organisms/genetically modified organisms” has recently been developed.³⁵ This learning tool was prepared on the basis of experiences shared by Parties to and stakeholders of the Cartagena Protocol and the Aarhus Convention. It also builds on other capacity-building resources developed under the two instruments related to access to information and public participation regarding GMOs/LMOs.

55. Further capacity-building activities could focus on the following priority areas: (a) assisting in reviewing the legislation and preparing documents for the ratification of the GMO amendment; (b) national round tables and training sessions; (c) pilot projects; and (d) strengthening the capacity of the public to participate in GMO-related decision-making.

56. As of September 2021, priority countries for such activities include those Parties to the Convention whose ratification of the GMO amendment will count towards its entry into force, namely: Armenia, Azerbaijan, Belarus, Kazakhstan, Kyrgyzstan, North Macedonia, Tajikistan and Ukraine. Other countries with economies in transition require support for effective implementation of the Convention in the context of GMOs.

F. Public participation in international forums

57. Building capacities of countries in promoting public participation in international forums in accordance with article 3 (7) of the Convention remains critical. There is a need to increase capacity-building activities to promote public participation at the national level regarding international decision-making, support the participation of the public before, during and in the follow-up to meetings of international forums, and to facilitate interaction within and between the ministries involved in the work of different international forums.

58. Partner organizations are strongly encouraged to use material produced within the framework of the Convention for capacity-building in this area, in particular the *Almaty Guidelines on Promoting the Application of the Principles of the Aarhus Convention in International Forums*³⁶ and the Checklist of measures to be borne in mind 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.³⁷

59. Further work in the next intersessional period could focus on international forums dealing with threats to the marine environment, air pollution, deforestation and degradation of forests, loss of biodiversity and the environmental effects of agriculture, land use and land-use changes, carbon trading and other market-based mechanisms and with environmental impact assessment in a transboundary context. Public participation also remains important in

³⁴ See AC/MOP-7/Inf.3.

³⁵ United Nations Economic Commission for Europe (ECE)/Convention on Biological Diversity, May 2021, available at <https://unece.org/environment-policy/public-participation/key-guidance-and-other-material-related-gmos>.

³⁶ ECE/MP.PP/2005/2/Add.5, decision II/4, annex.

³⁷ Available at <https://unece.org/public-participation-international-forums>.

the discussion of new or emerging technologies yet to be addressed in international forums (for example, geoengineering).³⁸

G. Compliance with the Convention

60. Compliance with the Convention continued to be a general priority for the work in accordance with the forthcoming work programme for 2022–2025.

61. ECE, OSCE and UNDP supported the implementation of several projects that assisted Parties in implementing recommendations of the Convention’s Compliance Committee and the relevant decisions of the Meeting of the Parties.³⁹

62. The capacity-building activities of the European ECO-Forum were focused on the compliance mechanism under the Aarhus Convention. This included assistance to NGOs in the preparation of communications to the Compliance Committee and organization of training sessions for NGOs and lawyers about the mechanism, and the follow-up to the Compliance Committee’s findings and recommendations. Sustainable funding for NGOs to support their participation in the compliance mechanism remains crucially important.

63. Partner organizations are strongly encouraged to continue assisting Parties in implementing recommendations of the Convention’s Compliance Committee and the relevant decisions of the Meeting of the Parties on compliance matter and to participate in the meetings of the Convention’s Compliance Committee where the progress achieved by Parties will be reviewed.

H. Promoting accession to the Convention and Principle 10 of the Rio Declaration

64. The accession of Guinea-Bissau to the Aarhus Convention and interest expressed by countries of the UNEP-Mediterranean Action Plan region through the Mediterranean Strategy for Sustainable Development 2016–2025 in joining the Aarhus Convention bring additional opportunities for its promotion to non-ECE countries. Also, the entry into force of the Escazú Agreement allows for cross-regional cooperation on different subjects.

65. Activities dedicated to the implementation of Principle 10 of the Rio Declaration were conducted by UNEP and other partner organizations outside the ECE region. UNEP continued to provide support to countries interested in implementing the Guidelines for the Development of National Legislation on Access to Information, Public Participation and Access to Justice in Environmental Matters,⁴⁰ inter alia, through the publication *Putting Rio Principle 10 into Action: An Implementation Guide*,⁴¹ available in English and Spanish. UNEP also conducted many workshops, seminars and colloquiums to assist countries in applying the rule of law in environmental matters, including by strengthening access to justice and a rights-based approach. The European ECO-Forum continued to support efforts of NGOs in Latin America and the Caribbean dedicated to the ratification of the Escazú

³⁸ For more details, please see forthcoming decision VII/4 on promoting the application of the principles of the Convention in international forums available at https://unece.org/environmental-policy/events/Aarhus_Convention_MoP7 (under category I pre-session documents tab).

³⁹ See AC/MOP-7/Inf.3.

⁴⁰ Adopted by the Governing Council of the United Nations Environment Programme [UNEP] in decision SS.XI/5, part A of 26 February 2010, available at <https://wedocs.unep.org/rest/bitstreams/46803/retrieve>.

⁴¹ UNEP (Nairobi, 2015).

Agreement and preparations for the Meeting of Signatories and lately for the first Conference of Parties of this Agreement.

III. Conclusions

66. Due to the cross-cutting nature of the Aarhus Convention and the Protocol on PRTRs, the related capacity-building activities can assist countries not only to advance the implementation of both instruments, but also to contribute to the promotion of good governance, effective implementation of the Sustainable Development Goals and promotion of transparency and public participation in the transformation towards green and circular economy and the recovery from the pandemic.

67. The capacity-building projects and activities were mainly carried out in the current intersessional period on a periodic or one-time basis with the support of national budgets and international technical assistance.

68. E-learning courses and material developed under the auspices of the Convention and its Protocol should be fully used by partner organizations for capacity-building activities.⁴²

69. To address potential adverse implications of the pandemic, forthcoming capacity-building activities in the countries should take into account possible restrictions and the activities' formats should be adjustable to the situation. In this regard, partner organizations are strongly encouraged to use relevant material prepared by the Aarhus Convention Compliance Committee.⁴³

70. Further development of a regulatory framework in the countries, through systematically introducing the Convention's obligations into all relevant legislative and regulatory acts and into practical guides, continues to be essential. In addition, future activities should aim to strengthen inter-agency and multi-stakeholder cooperation and dialogue at the national and local levels.

71. Strengthening capacities of countries and stakeholders in harnessing the benefits of digital transformation for the Convention's implementation should receive further priority treatment. Partner organizations are encouraged to use and further develop schemes for the transfer of technology and expertise to interested countries so as to overcome or reduce the digital divide and all aspects related thereto – for example, through bilateral and multilateral projects or partnerships – and to promote digital inclusion.

72. The Aarhus Centres remained a backbone for the Convention's capacity-building framework supported by partner organizations promoting digital transformation, the use of innovative approaches to support public participation at a time of COVID-19 and the public engagement in achieving Sustainable Development Goals, implementing the Sendai Framework for Disaster Risk Reduction 2015–2030 and the transition towards green and circular economy.

73. The nature of many capacity-building projects remained multi-stakeholder. Representatives of NGOs provided substantive inputs to the various capacity-building activities or initiated their own projects. Further strengthening the expert and technical capacities of NGOs will be a useful and intrinsic contribution to advancing implementation of the Convention.

⁴² See <https://unece.org/env/pp/aarhus-convention-capacity-building> .

⁴³ See ECE/MP.PP/C.1/2021/6; see also ECE/MP.PP/C.1/2020/5/Add.1, available at: www.unece.org/fileadmin/DAM/env/pp/compliance/CC-67/ece.mp.pp.c.1.2020.5.add.1_advance_unedited.pdf .

74. Pursuant to the objectives of the 2030 Agenda for Sustainable Development, there is also a need to step up capacity-building activities addressing specific needs of disadvantaged and vulnerable groups (children, youth, persons with disabilities, etc.).

75. The protection of whistle-blowers and other environmental defenders against persecution, harassment or any kind of retaliation remains a crucial issue to be addressed in the next intersessional period through capacity-building and awareness-raising initiatives. Such initiatives should involve national focal points, civil society, national human rights institutions, law enforcement bodies and other relevant administrative institutions.

76. Most of the projects were largely focused on supporting the general⁴⁴ implementation of the Convention in accordance with beneficiary countries' needs. Several projects were strictly dedicated to specific areas, such as access to information and to justice and public participation in decision-making.

IV. Framework for future activities

77. The capacity-building activities for the next intersessional period should focus on the issues specified in the decisions of the Meeting of the Parties to the Convention and its Protocol on PRTRs and should respond to countries' needs identified through: 2021 national implementation reports; the compliance mechanism; relevant outcomes of the meetings of the Working Group of the Parties, the task forces, workshops, studies and surveys.

78. The role of partner organizations remains crucial for promoting the Convention and the Protocol on PRTRs and assisting in their implementation at the local, national and subregional levels.

79. Funding opportunities for partner organizations to carry out capacity-building projects, especially specific thematic projects (e.g., application of the Aarhus Convention to GMO-related matters, public participation in international forums, protection of environmental defenders), should be further expanded.

80. The introduction of the United Nations Sustainable Development Cooperation Framework offers new opportunities for collaboration between partner organizations to promote the environment-good governance-human rights nexus. The national focal points of the Parties providing development assistance are encouraged to work closely with the representatives of the public authorities responsible for development assistance programmes to address capacity-building needs regarding the Aarhus Convention, the Protocol on PRTRs, Sustainable Development Goal 16 and Principle 10 of the Rio Declaration in such programmes and to harness the opportunities brought by this Framework.

81. Aarhus Centres should continue to provide a platform for cooperation between public authorities, civil society and other stakeholders at all levels, thereby fostering implementation of the Convention and the Protocol on PRTRs. The Aarhus Centres network plays an important role in promoting capacity-building activities among various target groups in the implementation of the Aarhus Convention. OSCE remains committed to supporting and strengthening the capacities of Aarhus Centres in addressing local environmental challenges, including those related to the transition towards green and circular economy and disaster risk reduction. Further efforts to ensure sustainable funding of the Aarhus Centres remain crucially important.

82. Capacity-building activities also can involve and use the potential of relevant public authorities, information commissioners, ombudsmen and other human rights institutions and

⁴⁴ Projects supporting general implementation of the Convention and the Protocol on Pollutant Release and Transfer Registers often address all the provisions of the treaties.

stakeholders, such as law faculties, judicial training and other educational institutions, public libraries, media outlets, NGOs, public interest lawyers, to raise awareness about public rights in the field of the environment in different contexts.

83. In addition to cooperation with the capacity-building partners mentioned above, cooperation with the secretariats of other multilateral environmental agreements and forums (for example, the Convention on Biological Diversity, the Convention on Environmental Impact Assessment in a Transboundary Context, the Protocol on Water and Health to the Convention on the Protection and Use of Transboundary Watercourses and International Lakes, the Convention on Long-range Transboundary Air Pollution, the Convention on the Transboundary Effects of Industrial Accidents, the relevant ECE bodies, the Office of the High Commissioner for Human Rights, international financial institutions and others) has proven to be a useful way to maximize synergies while ensuring the efficient use of resources.

84. The secretariat continues its efforts to promote synergies between activities of partner organizations through the Convention's capacity-building coordination mechanism and through the International PRTR Coordinating Group.

85. Wide dissemination of the outcomes of capacity-building activities through the Internet and other electronic tools should be an integral part of projects and can substantially increase their visibility and contribute to raising awareness among other stakeholders. Subscription to, regular use of and contribution to the Aarhus Clearinghouse, its databases and PRTR.net for uploading information on capacity-building and awareness-raising activities can contribute to this objective and improve further coordination.
