Excerpt from the addendum to the report of the seventh session of the Meeting of the Parties
(ECE/MP.PP/2021/2/Add.1)*

Decision VII/2
Promoting effective public participation in decision-making

Adopted by the Meeting of the Parties to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters at its seventh session

The Meeting of the Parties,

Recalling the provisions of articles 6, 7 and 8 of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention), and the provisions of article 6 bis 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,¹

Also recalling its decisions EMP.II/1,² V/2¹ and VI/2⁴ on public participation in decision-making, VII/11 on the strategic plan for 2022–2030⁵ and VII/⁵ on the work programme for 2022–2025⁶,

Recognizing the critical role of effective public participation for successful implementation of the Sustainable Development Goals, in particular Goal 16 and its targets 16.6, 16.7 and 16.10,

Mindful that the national implementation reports, the findings of the Compliance Committee, relevant case law of the Parties and the work carried out under the auspices of the Task Force on Public Participation in Decision-making to date have, collectively, shown that challenges remain to the full implementation of the second pillar of the Convention across the region,

Recognizing the vital role played by the Task Force on Public Participation in Decision-making in bringing together experts from Governments, civil society and other

* Decisions were adopted by the Meeting of the Parties at the Joint High-level segment, held on 21 October 2021. For practical reasons, the adopted decisions are being issued in an addendum to the report of the seventh session of the Meeting of the Parties (ECE/MP.PP/2021/2/Add.1). The full text of addendum to the report of the seventh session of the Meeting of the Parties is available in English, French and Russian from https://unece.org/environmental-policy/events/Aarhus_Convention_MoP7
¹ See ECE/MP.PP/2005/2/Add.2, decision II/1, annex.
² See ECE/MP.PP/2010/2/Add.1.
³ See ECE/MP.PP/2014/2/Add.1.
⁴ See ECE/MP.PP/2017/2/Add.1.
⁵ Forthcoming.
⁶ Forthcoming.
stakeholders to exchange experiences regarding those challenges and to explore possible
good practices to address them,

_Welcoming_ the important contribution to furthering implementation of the second
pillar played by organizations engaged in capacity-building at the national and subregional
levels,

_Alsowelcoming_ the work of Aarhus Centres in several countries, as platforms to
facilitate public participation by providing environmental information, raising public
awareness, promoting participatory debate on environmental policies, programmes and
projects and providing assistance to members of the public in exercising their rights,

_Unnderlining_ the need to further the implementation of the second pillar of the
Convention (articles 6, 7, 8 and, prospectively, 6 bis) so as to provide for more effective
public participation in decision-making in environmental matters,

_Havingreviewed_ the reports of the Task Force on Public Participation in Decision-
making and the outcomes of the thematic session of the Working Group of the Parties in the
period since the sixth session of the Meeting of the Parties,²

1. _Notes_ with appreciation the work undertaken by the Task Force on Public
Participation in Decision-making and expresses its gratitude to Italy for its leadership of the
Task Force;

2. _Recognizes_ the valuable role played in a number of Parties by the Maastricht
Recommendations on Promoting Effective Public Participation in Decision-making in
Environmental Matters (Maastricht Recommendations),³ developed under the auspices of the
Task Force, and invites Parties, signatories, other interested States and stakeholders to use
them as guidance to improve implementation of the second pillar of the Convention,
including by translating them into national and, as appropriate, local languages, and
distributing them among all relevant target groups dealing with public participation at the
national and subnational levels, such as public authorities, non-governmental organizations,
operators, the private sector and the general public, and requests the Task Force to continue
monitoring the use of the Maastricht Recommendations;

3. _Welcomes_ initiatives taken by Parties, signatories, international organizations,
non-governmental organizations, research institutes and other stakeholders to study good
practices, examine practical means of promoting more effective public participation in
environmental decision-making and share their findings and experience, and encourages
further activities to this end;

4. _Alsowelcomes_ initiatives of Parties, signatories, international organizations
and other stakeholders to promote safe participation in decision-making and strengthen the
protection of environmental defenders and other persons exercising their rights in conformity
with the provisions of the Convention against penalization, persecution, harassment and other
forms of retaliation for their involvement, and calls on Parties, signatories, international
organizations and other stakeholders to continue supporting existing and to initiate new
initiatives;

5. _Encourages_ Parties, signatories, other interested States, partner organizations
and stakeholders to continue providing case studies through the Aarhus Clearinghouse for
Environmental Democracy and its Good Practice database;

6. _Invites_ Parties, signatories, international organizations, non-governmental
organizations and other stakeholders to strengthen implementation of the public participation
pillar of the Convention at the national level, and, where possible, to make resources available
for this purpose;

7. _Invites_ Parties, signatories, other interested States, partner organizations and
stakeholders engaged in capacity-building to further the implementation of the second pillar
of the Convention and to focus on developing training programmes at the national level, as a
priority, and also at the subregional level, for public officials involved in the day-to-day task

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³ ECE/MP.PP/2014/2/Add.2.
of carrying out public participation procedures covered by articles 6, 7 and 8 of the Convention.

8.  Also invites Parties, signatories, other interested States, partner organizations and stakeholders engaged in capacity-building to support specific training sessions and awareness-raising events on the obligations under article 3 (8) targeting officials of public authorities, law enforcement agencies, prosecutors, members of judiciary, international financial institutions, providers of private security services and developers;

9.  Invites researchers focusing on participatory processes and environmental decision-making to use the resources gathered under the auspices of the Task Force in their research, and also to share the results of their research with the Task Force;

10.  Encourages Parties, signatories, other interested States, international organizations, non-governmental organizations, research institutes and other stakeholders to participate in the activities under the Convention on public participation in decision-making and to allocate sufficient resources for this matter;

11.  Decides to extend in time the mandate of the Task Force on Public Participation in Decision-making, under the authority of the Working Group of the Parties to the Convention;

12.  Welcomes the offer of [Party] to lead the Task Force on Public Participation in Decision-making;

13.  Requests the Task Force, subject to the availability of resources and taking into account, among other things, the national implementation reports, the findings of the Compliance Committee of a systemic nature, other relevant assessments and the experiences of the public, to continue working to strengthen the implementation of the public participation provisions of the Convention, with special attention to:

   (a)  Gathering information on experiences from Parties and stakeholders regarding the application of the Maastricht Recommendations;

   (b)  Overseeing the collection and dissemination of good practices in public participation in decision-making through the Aarhus Clearinghouse and its Good Practice online database;

   (c)  Exchanging good practices on how challenges in the implementation of public participation in decision-making caused by the coronavirus disease (COVID-19) pandemic, for example with regard to the public availability of documents and access to virtual hearings, have been successfully overcome by Parties and stakeholders or on how such measures are planned to be put in place in the future, in order to ensure that public participation rights are respected, taking into account the guidance and recommendations provided by the Compliance Committee9;

   (d)  Identifying 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 such as:

       (i)  Meaningful and early public participation;

       (ii) The availability of all relevant documents to the public;

       (iii) Effective notification and time frames for public participation;

       (iv) Paying particular attention to the participation of vulnerable and marginalized groups;

       (v)  Safe public participation without persecution, harassment or penalization, and protection of environmental defenders and other persons exercising their rights in conformity with the provisions of the Convention;

(vi) Ensuring that account is taken of comments from the public in the final decisions, as required by the Convention, and ensuring appropriate provision of feedback on how the public’s comments have been taken into account in the decisions;

(e) Addressing, in collaboration with relevant partner organizations and as appropriate, public participation in decision-making in a transboundary context and with regard to the following subjects:

(i) Agriculture (Sustainable Development Goal 2);
(ii) Health-related issues linked to air pollution (Sustainable Development Goal 3);
(iii) Large-scale infrastructure/transport (Sustainable Development Goal 9);
(iv) Urban development/cities (Sustainable Development Goal 11);
(v) Climate change (Sustainable Development Goal 13);
(vi) Fishery/oceans, seas, marine resources (Sustainable Development Goal 14);
(vii) Emerging technologies (several Goals).

(f) As resources allow, preparing training materials to support the work detailed in subparagraphs (c), (d) and (e) above;

14. **Requests** the Working Group of the Parties to hold a thematic session on promoting effective public participation in decision-making during one of its meetings in the coming intersessional period, with a view to providing opportunities for Parties, signatories and stakeholders to exchange experiences on those subject matters that deserve particular attention.