

## **Task Force on Public Participation in Decision-making, October 10-11, 2022**

### **Statement by Magdolna Tóthné dr. Nagy, Guta Environmental Law Association, on behalf of the European ECO Forum**

Madam Chair, distinguished delegates,

Thank you for the opportunity to address the 10th Task Force meeting. On behalf of the European ECO Forum, as before in various meetings, we propose to give more attention to the participation of „vulnerable and marginalized groups” in the further work of the Task Force on Public Participation in Decision-making. We welcome the announcement of Madame Chair that this issue will be dealt with, in more detail, at the next Task Force meeting. As it has been mentioned, the MOP-7 in Decision VII/2 on promoting effective public participation in decision-making adopted at MOP7 in October 18-20, 2021. Paragraph 13. recognized this topic as one of the areas where work needs to be continued to strengthen the implementation of the public participation provisions of the Convention.

Paragraph 13 of this decision „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: ...

**(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; ... etc.”**

Yesterday and today this issue was also touched upon in several interventions, by the Chair and in the discussion, the difficulties hindering effective public participation of these groups have affected a significant segment of society, more generally, not only in the context of COVID-19 pandemic. The 9th Task Force meeting held on March 1-2, 2020, the Maastricht Recommendations (Chapter H20/e), the Compliance Committee’s current case law and the Convention itself do not shed enough light on how the term "vulnerable and marginalized groups" should be fully understood, how the participation of these groups could best be ensured in practice, in line with the Convention.

ECO Forum sees the need to further clarify the definition of "vulnerable and marginalized groups", the key issues, including the identification of these groups, the analysis of the challenges they face, the possible solutions and the good practices related to their more effective participation in decision-making. There are many relevant issues and aspects that need to be further discussed, and exchange with the involvement of representatives of different sectors of these groups would be also beneficial.

We are aware that this Task Force meeting does not focus on this issue, therefore we suggest to discuss further the scope of further work related to ensuring more effective participation

for "vulnerable and marginalized groups" and the activities this work would comprise. ECO Forum proposes to carry out the following activities during the next period until the next Task Force meeting:

- collection of good practices through a survey on good practices and possible challenges and obstacles, solutions
- analysis of the lessons learned from cases of the Compliance Committee (if any) and of relevant international experiences (including the Escazú Agreement<sup>1</sup>, WHO, etc.)
- conclusions regarding the key issues mentioned above (definition and identification of the "vulnerable and marginalized groups", challenges/obstacles, possible solutions and good practices) and recommendations on how more effective participation of these groups could be ensured.

We realize that these activities could be carried out subject to financial resources and hope that given the importance of this work, these resources will be also ensured. The European ECO Forum is ready contribute to this work and calls on the Parties and all stakeholders to give their support and participate actively in the related activities.

Thank you for the attention!

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<sup>1</sup> The Escazú Agreement includes a definition, for example, of "Persons or groups in vulnerable situations" which „means those persons or groups that face particular difficulties in fully exercising the access rights recognized in the present Agreement, because of circumstances or conditions identified within each Party's national context and in accordance with its international obligations" The Escazú Agreement also refers to the special treatment of these groups in several of its provisions, requiring special attention.