
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

Working Group of the Parties

Twenty-seventh meeting

Geneva, 26-28 June 2023

Item 11 of the provisional agenda

Adoption of outcomes

LIST OF DECISIONS AND MAJOR OUTCOMES OF THE MEETING
as adopted by the Working Group at its twenty-seventh meeting¹

Item 1. Opening of the meeting and adoption of the agenda

The Working Group of the Parties:

- i. Took note of the information provided by the Chair, the secretariat and delegations;
- ii. Adopted the provisional agenda of the meeting (ECE/MP.PP/WG.1/2023/1).

Item 2. War in Ukraine and implementation of the Convention

The Working Group of the Parties:

- i. Took note of the information presented by the representatives of Ukraine regarding challenges facing Ukraine in implementation of the Aarhus Convention due to the war launched by the Russian Federation against Ukraine as well as achievements and other relevant developments;
- ii. Stressed that the ongoing war in Ukraine has devastating impact on people's lives, on the environment and on the social and economic development in the Economic Commission for Europe (ECE) region and beyond, and that the war affects implementation of the Aarhus Convention;
- iii. Welcomed efforts of Ukraine to implement the Aarhus Convention in such extraordinary circumstances and the positive developments it demonstrated in that regard;
- iv. Called on Parties, other interested member States and relevant international organizations to provide possible assistance to help Ukraine to implement the Aarhus Convention;
- v. Took note of the statements of Georgia, EU and its Member States, Norway, United Kingdom, European ECO-Forum and the Chair of the Compliance Committee in that regard.

¹ This document was not formally edited.

Item 3. Status of ratification

The Working Group of the Parties:

- i. Welcomed accession of Guinea-Bissau - the first country outside of the ECE region to accede to the Aarhus Convention, opening new horizons for environmental democracy in Africa and worldwide;
- ii. Took note of the information on the status of ratification of the Convention, its amendment and the Protocol on Pollutant Release and Transfer Registers (Protocol on PRTRs), provided by the secretariat;
- iii. Took note of the information on recent relevant developments highlighted by the European ECO Forum.

Item 4. Substantive issues

(a) Thematic session on public participation in decision-making

The Working Group of the Parties:

- i. Expressed its appreciation to the Special Rapporteur on Environmental Defenders under the Aarhus Convention, representatives of Finland, Georgia, the Aarhus Center – North Macedonia, Bimkom Planners for Planning Rights and the European ECO Forum for their presentations and took note of the information provided;
- ii. Took note of the statements by Parties and stakeholders regarding the issues of safe public participation and protection of environmental defenders in the context of decision-making and of public participation with regard to large-scale infrastructure/transport;
- iii. Welcomed achievements and good practices and noted challenges highlighted by the speakers, recognizing in this regard that more efforts should be done to advance early and effective public participation in decision-making in the context of the above topics;
- iv. Took note of the statements by Parties and stakeholders regarding other subject areas discussed at the session and noted the proposals by the European ECO Forum regarding groups and persons in vulnerable situations;
- v. Called on Parties to continue fulfilling their obligations under article 3, paragraph 8, and articles 6, 7 and 8 and other relevant provisions of the Convention;
- vi. Encouraged Parties and interested stakeholders to participate in the survey on the issue of participation of persons and groups in vulnerable situations, to be carried out by the secretariat in preparation for the next meeting of the Task Force on Public Participation in Decision-making;
- vii. Reiterated that promotion of effective public participation is key for achievement of Sustainable Development Goals, in particular Goal 16.

(b) Access to information

The Working Group of the Parties:

- i. Took note of the information provided by the representative of the Republic of Moldova on behalf of the Chair of the Task Force on Access to Information and expressed its appreciation for the work done;
- ii. Took note of the information provided by delegations on recent developments related to access to information and noted challenges highlighted in this regard;
- iii. Encouraged Parties and stakeholders to continue to share experiences and to identify priority measures to improve public access to environmental information, as required by articles 4 and 5 and other relevant provisions of the Convention, including through electronic information tools, pursuant to decision VII/1;
- iv. Encouraged the Task Force on Access to Information to consider the topic of product information and product passports at its next meeting;
- v. Reiterated that effective access to environmental information supports the achievement of Sustainable Development Goals and targets, and in particular target 16.10 thereof (ensure public access to information and protect fundamental freedoms), the Sendai Framework for Disaster Risk Reduction 2015–2030 and other relevant international commitments;
- vi. Welcomed initiatives by Parties, stakeholders and partner organizations to implement measures set out in decision VII/1 (ECE/MP.PP/2021/2/Add.1) up to date and encourage its continued implementation.

(c) Access to justice

The Working Group of the Parties:

- i. Took note of the information provided by the Chair of the Task Force on Access to Justice and expressed its appreciation for the work done;
- ii. Took note of the information provided by delegations on recent developments related to access to justice;
- iii. Reiterated that effective access to justice in environmental matters supports the achievement of target 16.3 of Sustainable Development Goal 16 and underpins the implementation of other relevant Sustainable Development Goals and targets;
- iv. Welcomed the organization of the Judicial Colloquium “Judicial protection of human rights and public interests against environmental pollution from chemicals and wastes” (Geneva, 3–4 April 2023) and other work undertaken to promote judicial cooperation on environmental matters in the pan-European region and expressed appreciation to partner organizations for supporting this work; and called on partner organizations and interested Parties to continue supporting future meetings for

judiciary, judicial training institutions and other independent review bodies in the pan-European region and allocate resources required for their organization;

- v. Welcomed initiatives of the Parties and stakeholders to implement measures set out in decision VII/3 up to date and encourage its continued implementation.

(d) Genetically modified organisms

The Working Group of the Parties:

- i. Took note of the information provided by delegations on recent developments related to this area;
- ii. Reiterated its serious concern that the Amendment to the Convention on genetically modified organisms (GMO amendment) has to be approved by a sufficient number of Parties to enter into force;
- iii. Reiterated its call upon the following Parties, whose ratification of the GMO amendment would count towards its entry into force: Armenia, Azerbaijan, Kazakhstan, Kyrgyzstan, North Macedonia, Tajikistan, Turkmenistan, and Ukraine, to take serious steps towards ratification and requested the above Parties to report at the next meeting of the Working Group on the progress achieved;
- iv. Welcomed the intention of Ukraine to ratify the GMO amendment by end of this year.

Item 5. Procedures and mechanisms

The Working Group of the Parties:

(a) Rapid response mechanism

- i. Took note of the information provided by the Special Rapporteur on Environmental Defenders and expressed its appreciation for the work done;
- ii. Took note of the information provided by delegations on recent developments and other matters related to the subject area;
- iii. Expressed its serious concern regarding challenges facing environmental defenders presented by the Special Rapporteur on Environmental Defenders, non-governmental organizations (NGOs) and other stakeholders;
- iv. Took note of the threats faced by youth and children environmental defenders as highlighted by European ECO Forum, NGO Save the Children and by the Special Rapporteur on Environmental Defenders, and therefore of their vulnerable situation;

-
- v. Stressed that ensuring safety of environmental defenders is a key prerequisite for effective implementation of the Convention and indispensable for the achievement of Sustainable Development Goals, in particular Goal 16;
 - vi. Welcomed initiatives of the Parties and stakeholders to promote implementation of decision VII/9 on a rapid response mechanism for the protection of environmental defenders (ECE/MP.PP/2021/2/Add.1);
 - vii. Called on Parties, other interested member States and relevant organizations to support the work of the Special Rapporteur on Environmental Defenders;
 - viii. Encouraged all Parties, as a sign of their commitment and good faith to ensuring an enabling environment for environmental defenders, to invite the Special Rapporteur on Environmental Defenders to visit their country to raise awareness about the mandate and Parties' obligations under article 3(8) of the Aarhus Convention.

(b) Compliance mechanism

The Working Group of the Parties:

- i. Took note of the information provided by the Chair of the Compliance Committee on the outcomes of the Committee's seventy-fourth, seventy-fifth, seventy-sixth, seventy-seventh, seventy-eighth and seventy-ninth meetings as well as other important issues outlined by the Chair, and expressed its appreciation to the Committee for the work done;
- ii. Took note of the information provided by delegations on recent developments and other matters related to the subject area;
- iii. Urged all Parties subject to a decision of the Meeting of the Parties concerning its compliance to implement that decision in a timely and effective manner, especially where the implementation requires legislative measures, recalling in particular the deadlines of 1 October 2023 for each Party concerned to submit its progress report to the Committee, and 1 October 2024, by when each Party concerned must submit its final report to the Committee demonstrating that it has fully met the requirements of the decision concerning its compliance;
- iv. Called on Parties to cooperate with the Committee in a timely and engaged manner as to support and facilitate its work.

(c) Reporting mechanism

The Working Group of the Parties:

- i. Took note of the information provided by the secretariat and delegations;
- ii. Expressed its concern over the failure of the Netherlands and Tajikistan to submit a report on the implementation of the Convention for the 2021 cycle and urged these Parties to submit their reports without any further delay.

(d) Capacity-building and awareness-raising

The Working Group of the Parties:

- i. Took note of the information provided by the delegations;
- ii. Expressed its appreciation to Parties, Aarhus Centres, partner organizations, and stakeholders for the continuing cooperation with the secretariat on capacity-building activities at the regional, national and local levels;
- iii. Recognised once again the important role that the Aarhus Centres played for providing a neutral platform for authorities, NGOs and other stakeholders to support the Convention's implementation in countries with economies in transition, and to promote multi-stakeholder dialogue on Sustainable Development Goals. In this regard, welcomed actions taken by the Organization for Security and Co-operation in Europe (OSCE) in promoting sustainability of these Centres and called on Parties and other interested Member States to support OSCE's efforts;
- iv. Encouraged national focal points to reach out to authorities responsible for development assistance and technical cooperation to explore the possibility of integrating the Aarhus Convention in these programmes as cross-cutting instrument supporting attainment of Sustainable Development Goals;
- v. Welcomed efforts of Uzbekistan to accede to the Aarhus Convention and encouraged the country to proceed with the accession as soon as possible.

Item 6. Thematic session on the promotion of the principles of the Convention in international forums

The Working Group of the Parties:

- i. Expressed its appreciation to the representatives of Croatia, Cyprus, Norway, secretariat of the ECE Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention), the United Nations Environment Programme / Mediterranean Action Plan Coordinating Unit (Barcelona Convention), the World Trade Organization, the Mekong River Commission for Sustainable Development and the European ECO Forum for their presentations and took note of the information provided;
- ii. Took note of the statements by Parties and stakeholders regarding promotion of the Convention's principles in processes dealing with the environmental impact assessment in a transboundary context, international trade-related decision-making; and on the issue of balanced and equitable participation and different modalities for engaging stakeholders in international decision-making;
- iii. Welcomed achievements and good practices and noted challenges highlighted by speakers;

-
- iv. Urged Parties in this regard to increase their efforts in promoting the Convention's principles in international forums and processes related to the above forums;
 - v. Thanked Parties and stakeholders that participated in the survey and noted the key outcomes shared through the survey;
 - vi. Took note of the statements by Parties and stakeholders regarding other subject areas discussed at the session, such as on plastics pollution, climate and human rights, and urged Parties to continue promoting the Convention's principles in international forums and processes related to these areas;
 - vii. Recognized that interventions of Parties to the Aarhus Convention in other international processes are critical to the promotion of public participation and welcomed positive developments achieved on relevant matters at the 58th sessions of the subsidiary bodies to the United Nations Framework Convention on Climate Change (UNFCCC) (Bonn, 5-15 June 2023);
 - viii. Encouraged Parties to the Aarhus Convention, the secretariat to the Aarhus Convention and stakeholders involved in the Convention's processes to cooperate closely with Parties to the Escazu Agreement and stakeholders participating in the Agreement's processes on matters related to public participation in international forums;
 - ix. Took note of the issues related to balanced and equitable participation (Almaty Guidelines, para. 15) in multiple international forums related to the environment and urged Parties to increase their efforts to avoid the exercise of undue economic or political influence, and facilitate the participation of those constituencies that are most directly affected and might not have the means for participation in these processes;
 - x. Invited the secretariat, subject to the availability of resources, to continue outreach related to balanced and equitable participation as stipulated in the Almaty Guidelines (para. 15), including with a particular focus on the negotiations towards an international legally binding instrument on plastic pollution and in the UNFCCC climate negotiations;
 - xi. Recognized the importance for Aarhus Parties that are also members of the International Atomic Energy Agency (IAEA) to promote the principles of the Aarhus Convention in the processes under this organization, in particular to improve transparency;
 - xii. Called on Parties to continue fulfilling their obligations under article 3, paragraph 7, of the Convention and to consider the results achieved at the next meeting of the Working Group;
 - xiii. Reiterated that promotion of transparency and effective decision-making on environment related matters is key for achievement of Sustainable Development Goals, in particular Goals 16 and 17.

Item 7. Promotion of the Convention and other relevant developments and interlinkages

The Working Group of the Parties:

- i. Took note of the information provided by delegations regarding promotion of the Convention and other relevant developments and interlinkages, notably in the Latin America and the Caribbean and in the Mediterranean regions;
- ii. Welcomed initiatives taken by the secretariat, Parties or stakeholders to promote the Convention beyond the ECE region and in other relevant processes. It calls upon the secretariat, Parties, stakeholders and relevant organizations to continue cooperation and further promote synergy in the area of the environmental rights, including in relation to universal processes related to the protection of the right to a clean, healthy and sustainable environment as recognized through the United Nations General Assembly resolution (A/76/L.75) and other relevant regional processes.
- iii. Encouraged cooperation, collaboration and support from the Aarhus Parties, the secretariat, the Compliance Committee, the Special Rapporteur on Environmental Defenders and relevant organizations with the corresponding counterparts and the public involved in processes under the Escazu Agreement.

Item 8. Implementation of work programme for 2022–2025, including financial matters

The Working Group of the Parties:

- i. Took note of the Report on the implementation of the work programme for 2022–2025 (ECE/MP.PP/WG.1/2023/5); the Report on contributions and expenditures in relation to the implementation of the Convention’s work programme for 2022–2025 (ECE/MP.PP/WG.1/2023/6), the Note on contributions and pledges received between 16 April and 15 June 2023 (inclusive) (AC/WGP-27/Inf.3) and information provided by the secretariat on finance matters and on Self-evaluation of the activities under the Aarhus Convention Protocol on PRTRs;
- ii. Welcomed the synergies with partner organizations that helped to effectively implement the work programme;
- iii. Also took note of the information provided by delegations on their expected financial contributions;
- iv. Urged Parties that did not contribute to proceed with the contributions for all missing years without any further delay;
- v. Called upon the Parties to proceed with making financial contributions as soon as possible and expressed its concern over the fact that contributions are still arriving late in the year;
- vi. Expressed appreciation for the work done by the secretariat;

-
- vii. Expressed serious concern with regard to the continuous low level and irregularity of the financial contributions, which impacts the implementation of the work programme and recognized the need to provide urgent funding support as a priority for the work programme item “V. Compliance Mechanism”;
 - viii. Called on all Parties to contribute financially to the Convention. Those already contributing are invited to strive to significantly increase their contributions in view of the expanded workload and complexity of the work of the Compliance Committee, including with regard to advisory support and capacity-building for the Parties concerned; and the introduction of the new Rapid Response Mechanism, as provided in the adopted work programme for 2022-2025.

Item 9. Preparations for the eighth session of the Meeting of the Parties

The Working Group of the Parties:

- i. Took note of the information shared by the secretariat regarding the next session of the Meeting of the Parties;
- ii. Noted in that regard that the session would be organized back-to-back with the fifth session of the Meeting of the Parties to the Protocol on PRTRs in fall 2025;
- iii. Welcomed preliminary interest expressed by Lithuania in hosting the next sessions of the Meetings of the Parties and encouraged potential host Parties to express interest in hosting them;
- iv. Requested the secretariat to liaise with Lithuania and other potential host countries on hosting matters and to report to the next meeting accordingly.

Item 10. Other business

No issues were proposed for discussion at the time of the adoption of the agenda.

Item 11. Adoption of outcomes

The Working Group adopted the major outcomes and decisions presented by the Chair at the meeting (as contained in this document) and requested the secretariat, in consultation with the Chair, to finalize the report and incorporate these adopted outcomes and decisions.