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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

Report of the Working Group of the Parties on its twenty-seventh meeting

I. Introduction

1. The twenty-seventh meeting of the Working Group of the Parties to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) was held in Geneva, from 26 to 28 June 2023.
2. The meeting focused on numerous issues in line with the work programme for the Convention for 2022–2025 (ECE/MP.PP/2021/2/Add.1, decision VII/5, annex I) and on the impact of the war, currently being fought by the Russian Federation against Ukraine, on the implementation of the Convention. The meeting also included thematic sessions on public participation in decision-making and on promoting the Convention's principles in international forums. The Working Group considered relevant subsections of the report on the implementation of the work programme for 2022–2025 (ECE/MP.PP/WG.1/2023/5) for each corresponding agenda item.

A. Attendance

3. The meeting was attended by delegations from the following Parties to the Convention: Albania, Armenia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, European Union, Finland, France, Georgia, Germany, Greece, Guinea-Bissau, Hungary, Ireland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Luxembourg, Malta, Montenegro, Netherlands, North Macedonia, Norway, Poland, Portugal, Republic of Moldova, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, Turkmenistan, Ukraine and United Kingdom of Great Britain and Northern Ireland.
4. Delegates from Canada and Uzbekistan were also present.
5. The meeting was also attended by representatives of the United Nations Economic Commission for Europe (ECE), the United Nations Environment Programme (UNEP), the United Nations Development Programme (UNDP), the World Trade Organization (WTO), the World Bank, the Organization for Security and Cooperation in Europe (OSCE), the



Mekong River Commission Secretariat, Aarhus Centres and academic organizations. Furthermore, representatives of environmental and other non-governmental organizations (NGOs) participated, many of whom coordinated their input within the framework of the European ECO-Forum and spoke on its behalf.¹

B. Opening of the meeting and adoption of the agenda

6. The Deputy-Director of the ECE Environment Division delivered welcoming remarks focusing on major achievements stimulated by the Convention in the twenty-five years since its adoption, such as aligning national laws and practices with the common Convention's standards; using the Convention to enhance government accountability; and promoting electronic tools for accessing information and justice and for public participation. Aarhus Centres and NGOs play special role as valuable partners in disseminating information, awareness-raising and capacity-building. The Compliance Committee and the Special Rapporteur on environmental defenders were two outstanding successes that had brought substantial changes on the ground. The Convention was also being modelled for initiatives in other regions and forums, notably the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement) was a remarkable example in that regard.

7. The Chair opened the meeting, reflecting that the gathering was taking place at a very difficult time for the world due to the ongoing military offensive launched by the Russian Federation against Ukraine, which was a direct and lasting blow to multilateralism and the values of the United Nations. The war had claimed thousands of lives, caused untold destruction, displaced millions and resulted in unacceptable violations of human rights and international humanitarian law, including directly undermining the Aarhus Convention and the very premise for the current meeting. He referred to the General Assembly draft resolution on the principles of the Charter of the United Nations underlying a comprehensive, just and lasting peace in Ukraine, in which the General Assembly "reiterates its demand that the Russian Federation immediately, completely and unconditionally withdraw all of its military forces from the territory of Ukraine within its internationally recognized borders, and calls for a cessation of hostilities".² He recalled that the current meeting coincided with the twenty-fifth anniversary of the adoption of the Convention, and introduced the agenda.

8. The Working Group took note of the information provided by the Chair, the secretariat and delegations, and adopted the provisional agenda of the meeting (ECE/MP.PP/WG.1/2023/1).

II. War in Ukraine and implementation of the Convention

9. The representatives of Ukraine shared achievements and challenges facing their country in implementing the Aarhus Convention due to the war launched by the Russian Federation against Ukraine. Progress had been made regarding public access to environmental information and its digitalization, namely the newly created EcoSystem digital platform, which would also include the national pollutant release and transfer register (PRTR) and EcoZagroza system for controlling and monitoring the environmental situation and providing up-to-date information on environmental damage. Given that Ukraine was currently under martial law, one of the major challenges concerned restriction of access to information on critical infrastructure facilities and key industries, as such access could jeopardize national security. To address that issue, a special procedure had been developed

¹ The list of participants, together with documents for the meeting and statements, as made available to the secretariat by speakers, have been uploaded to the meeting web page:

<https://unece.org/info/Environmental-Policy/Public-Participation/events/375491>. Several Parties and stakeholders connected remotely. Only those Parties represented in person at the meeting were counted for the purposes of decision-making.

² A/ES-11/L.7, para. 5.

for obtaining the requested information. Another challenge concerned the lack of safe shelters in which to hold in-person public discussions; thus such discussions were being held online.

10. Representatives of Georgia, the European Union and its member States, Norway, the United Kingdom of Great Britain and Northern Ireland and the European ECO-Forum made statements condemning the unjustified and unprovoked military aggression of the Russian Federation against Ukraine and its violation of international law, including the Charter of the United Nations, expressing support for and solidarity with Ukraine and the Ukrainian people, stressing the devastating environmental and human rights violations caused by the war, and commending Ukraine for the impressive efforts it had made to implement the obligations and uphold the rights under the Aarhus Convention and its Protocol on PRTRs in such difficult times. The Chair of the Compliance Committee expressed the Committee's appreciation to Ukraine for its proactive engagement with the Committee notwithstanding the horrors of war.

11. The Working Group:

(a) Took note of the information presented by the representatives of Ukraine regarding challenges facing Ukraine in implementing the Aarhus Convention due to the war launched by the Russian Federation against Ukraine, as well as achievements and other relevant developments;

(b) Stressed that the ongoing war in Ukraine had a devastating impact on people's lives, the environment and social and economic development in the ECE region and beyond, and affected implementation of the Convention;

(c) Welcomed the efforts of Ukraine to implement the Convention in such extraordinary circumstances and the positive developments it had demonstrated in that regard;

(d) Called on Parties, other interested member States and relevant international organizations to provide possible assistance to help Ukraine to implement the Convention;

(e) Took note of the statements of the representatives of Georgia, the European Union and its member States, Norway, the United Kingdom of Great Britain and Northern Ireland, the European ECO-Forum and the Chair of the Compliance Committee in that regard.

III. Status of ratification

12. The secretariat reported on the status of ratification of the Convention, the amendment thereto on public participation in decisions on the deliberate release into the environment and placing on the market of genetically modified organisms (GMO amendment), and the Protocol on PRTRs. Guinea-Bissau had acceded to the Convention on 4 April 2023 and Belarus had withdrawn therefrom as of 24 October 2022. Currently, there were 47 Parties to the Convention, 32 Parties to the GMO amendment and 38 Parties to the Protocol.

13. The Working Group:

(a) Welcomed the accession of Guinea-Bissau – the first country from outside of the ECE region to accede to the Aarhus Convention, opening new horizons for environmental democracy in Africa and worldwide;

(b) Took note of the information on the status of ratification of the Convention, its amendment and the Protocol on PRTRs, provided by the secretariat;

(c) Also took note of the information on recent relevant developments highlighted by the representative of the European ECO-Forum, such as the loss of the right of citizens of Belarus to environmental democracy due to that country's withdrawal from the Convention.

IV. Substantive issues

A. Thematic session on public participation in decision-making

14. The session was chaired by the Chair of the Task Force on Public Participation in Decision-making. The Working Group focused the discussion on: (a) safe public participation and protection of environmental defenders; and (b) public participation regarding large-scale infrastructure/transport.

1. Safe public participation and protection of environmental defenders

15. The Special Rapporteur on environmental defenders under the Aarhus Convention emphasized the need to better protect environmental defenders during decision-making procedures on mining and large-scale infrastructure projects. He highlighted systemic challenges to such defenders' protection, including power imbalances between State and non-State actors, vulnerable and marginalized groups within communities, lack of transparent and accountable decision-making and failure to take outcomes of public participation into account. He stressed the importance of: ensuring meaningful public participation in accordance with the Convention; carrying out human rights impact assessments; including requirements on protecting environmental defenders in laws and concession contracts; and monitoring of processes, denouncing reprisals and establishing independent oversight mechanisms to protect environmental defenders by international financial institutions.

16. The representative of Finland gave a presentation on the updated publication *Supporting Human Rights Defenders Together: Guidelines of the Finnish Foreign Service*,³ including such defenders' participation in environment-related decision-making. The Guidelines recognize the value of international human rights defenders and the challenges they faced, and provided various measures to promote their participation, such as communication and cooperation, advocacy, financial support and monitoring and reporting their situation. As a way forward to support such defenders, several actions were recommended, including organizing events on human rights issues and inviting human rights defenders as speakers, while paying particular attention to the diversity of the invited speakers, assisting human rights defenders in accessing safe shelters, monitoring trials of human rights defenders and requesting information about or visiting imprisoned or detained human rights defenders, and noting any strategic lawsuits against public participation and how to intervene in such lawsuits.

17. The representative of the Aarhus Centre Skopje outlined the Centre's mission to support civil society organizations and citizens to exercise their rights under the Convention. To illustrate the challenges faced, she shared the case of the mines of Ilovica, in which legal knowledge had been used to contest a government-backed mining project subject to environmental impact assessment but for which only a non-technical summary had been made publicly available at the request of the developing company. Following a public hearing, the Ministry of Environment had proposed approving the project, however, due to enormous public pressure and the active engagement of experts and civil society organizations, several protests and legal processes had resulted in a governmental decision to reject the project because of the above-mentioned legal omission. It was imperative to know the subject, legal procedures, check all information, and use well-informed legal arguments and facts in order to efficiently exercise environmental rights.

18. The representative of the European ECO-Forum highlighted strategic lawsuits against public participation – abusive lawsuits designed to intimidate and discourage civil society engagement – as one of the major obstacles facing environmental defenders. She discussed further challenges, including cyberbullying, sexual threats, physical attacks and even death threats. The speaker cited a recent Austrian plan and programme concerning waste as an example of a clear framework involving independent experts and NGOs that provided a platform facilitating safe and effective public participation. The representative also made suggestions for the way forward, such as developing legislation against strategic lawsuits

³ Helsinki, Finnish Ministry of Foreign Affairs, 2023.

against public participation, strengthening the capacity-building of judicial, administrative and other actors, monitoring and preventing transnational corporate rights abuses, disseminating relevant Compliance Committee findings and publications of the Special Rapporteur, as well as keeping the issue on the agendas of future meetings of the Convention's bodies.

19. In the following discussion, the representative of Serbia informed about a case in which a first instance court had ruled in favour of an environmental activist, rejecting the plaintiff's claim for approximately €7,000 in non-material damages due to injury to the plaintiff's honor and reputation and the fear suffered. Following an appeal by the plaintiff, the second instance court had overturned the first instance court ruling that the environmental activist must pay €700. A youth environmental defender highlighted the portrayal by government officials of climate activists, in particular youth and child activists, as radicals and terrorists, which presented a serious threat to safe public participation, and called on the Working Group of the Parties to ensure that youth and children were meaningfully considered in the decision-making process. The representative of the European ECO-Forum emphasized the need for stronger preventive measures to support environmental democracy, with synergies between environmental and security institutions being one way to address that challenge.

2. Public participation with regard to large-scale infrastructure/transport

20. The representative of Georgia presented the country's legislative framework on public participation applicable to decision-making on large-scale infrastructure, highlighting a decision on a hydropower plant that was largely supported by the public in view of the company's active work at the early stage to receive and consider all opinions properly and the timely provision of comprehensive information. A Public Participation in Decision-making Service under the Environmental Information and Education Centre would be introduced as of 1 July 2023 to support public participation. Significant challenges identified included the poor quality of environmental impact assessment documentation, the lack of involvement of municipalities and developers in public participation processes and the weakness of organizations representing public interests in small settlements. Lessons learned included the need to begin communicating with the public at the earliest stage possible, providing adequate feedback to the public.

21. The representative of Bimkom – Planners for Planning Rights outlined the lack of a comprehensive legal framework and practice in Israel with regard to public participation in large-scale infrastructure projects and policies, pointing out that vulnerable groups were often excluded from the planning process, while developers and entities with vested political interests wielded disproportionately dominant power in the objection process. The speaker provided two examples of inadequate public participation in railway line construction and suggested that those issues could be addressed by adopting a law to enforce public participation at the early stages of the planning process, simplifying public objection submission procedures, and ensuring that relevant documents were also available in local languages and that planning information was presented in a clear, concise and non-technical manner.

22. The representative of the European ECO-Forum gave an overview of how large-scale infrastructure/transport projects were defined by different technical and legal sources, including by ECE and particularly by the Aarhus Convention, and presented typical environmental, societal and public participation challenges during processes reflecting those issues in the case law of the Aarhus Convention's Compliance Committee and the Court of Justice of the European Union. He provided good and unsuccessful examples of public participation in such projects to illustrate the challenges, as well as suggestions for the way forward in that regard.

23. In the discussion, the representative of Switzerland emphasized the importance of public participation regarding large-scale infrastructure/transport projects, underlining the role of the Aarhus Convention in that regard, and suggesting that opportunities for synergies between the Convention's work and the processes under the United Nations Environment Assembly of UNEP dealing with sustainable and resilient infrastructure and environmental aspects of minerals and metals management be explored. The representative of Guinea-

Bissau thanked the delegations for warmly welcoming the country's accession to the Convention and noted its national regulation on public participation in decision-making processes. Representatives of NGOs: (a) called on Parties to consistently refer to "persons or groups in vulnerable situations" in documents under the Aarhus Convention, making several suggestions on the matter; and (b) reported on recent legislative development in Hungary regarding public hearings, which provided the option of conducting a public hearing in environmental matters without the actual in-person presence of the public, that was to say via electronic means.

24. In conclusion, the Chair highlighted key issues emerging through the discussion. It had been clearly demonstrated how the topics considered at the current session were closely interlinked due to strong interest from corporations and diverse stakeholders and how obligations under the Aarhus Convention were crucial in that regard. The following measures were mentioned: undertaking active efforts to support environmental defenders through drawing attention to their challenges in high-level speeches, engaging their participation in high-level segments, as well as through national and international NGOs; providing timely, efficient and adequate access to information on the planned infrastructure activity and providing the public with a right to appeal against decision made by an administrative body; seriously considering environmental and social factors in large-scale infrastructure projects; establishing an environmental and social advisory council, including the local population; and providing qualified and adequate feedback from the responsible bodies. Several systemic challenges were noted, including: the power imbalance between the State, companies and environmental defenders and the marginalization of environmental defenders; the lack of transparency and accountability on the part of State and non-State actors in decision-making processes; strategic lawsuits against public participation; use of broad intimidation tactics (cyberbullying, sexual threats, physical attacks, death threats); lack of requirements to involve the public during the process of planning large-scale infrastructure/transport projects, as well as the disengagement of municipalities and developers from public participation; the disenfranchisement of large portions of vulnerable populations; and the failure to provide adequate and timely information to the public. As a way forward, several suggestions were made, including: using preventative approaches by ensuring the meaningful participation of environmental defenders in the decision-making process at all stages; developing legislation and guidance countering strategic lawsuits against public participation, and capacity-building for public authorities, the judiciary, and stakeholders regarding such strategic lawsuits; carrying out impact assessments both at the start of a new large-scale infrastructure/transport project and throughout its life cycle, prior to any significant changes in the operating context; making documents available also in the local language and in a concise and non-technical manner; and taking into consideration in particular persons in vulnerable situations when designing procedures.

25. Pursuant to the outcomes of the session, the Working Group:

(a) Expressed its appreciation to the Special Rapporteur on environmental defenders, the representatives of Finland, Georgia, the Aarhus Centre Skopje, Bimkom – Planners for Planning Rights and the European ECO-Forum for their presentations, and took note of the information provided;

(b) 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 public participation regarding large-scale infrastructure/transport;

(c) Welcomed achievements and good practices, and noted challenges highlighted by the speakers, recognizing in that regard that more efforts should be made to advance early and effective public participation in decision-making in the context of the above-mentioned topics;

(d) Took note of the statements by Parties and stakeholders regarding other subject areas discussed at the current session and noted the proposals made by the representative of the European ECO-Forum regarding groups and persons in vulnerable situations;

(e) Called on Parties to continue fulfilling their obligations under articles 3 (8) and 6, 7 and 8 and other relevant provisions of the Convention;

(f) 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;

(g) Reiterated that promotion of effective public participation was key for achievement of the Sustainable Development Goals, in particular Goal 16 (peace, justice and strong institutions).

B. Access to information

26. The First Secretary of the Permanent Mission of the Republic of Moldova to the United Nations Office and other international organizations in Geneva, speaking on behalf of the Chair of the Task Force on Access to Information, reported on recent developments in the work area, stating that preparations had begun for the eighth meeting of the Task Force on Access to Information (Geneva, 9–10 November 2023).

27. The representative of Armenia spoke about recent developments in the country, including the Open Government Partnership initiative, the “Green Seal-Green Deal” programme and the “Green Development” e-platform. The representative of the European Union and its member States encouraged the Parties and stakeholders to submit case studies on electronic information tools and to populate the Aarhus Clearinghouse with the relevant resources. Representatives of NGOs spoke about the lack of access to information related to a fire at the Nubarashen landfill site in Yerevan; noted the recent failure of the European Union to fulfil its obligations under the Aarhus Convention in relation to the establishment of an Industrial Emissions Portal; and suggested that the topic of product information and product passports be added to the agenda of the next meeting of the Task Force on Access to Information.

28. The Working Group:

(a) 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;

(b) Took note of the information provided by delegations on recent developments related to access to information, and noted challenges highlighted in that regard;

(c) 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 on promoting effective access to information (ECE/MP.PP/2021/2/Add.1);

(d) Encouraged the Task Force on Access to Information to consider the topic of product information and product passports at its next meeting;

(e) Reiterated that effective access to environmental information supported the achievement of the Sustainable Development Goals and their targets, in particular target 16.10 (ensure public access to information and protect fundamental freedoms), the Sendai Framework for Disaster Risk Reduction 2015–2030 and other relevant international commitments;

(f) Welcomed initiatives by Parties, stakeholders and partner organizations to implement measures set out in decision VII/1 to date and to encourage its continued implementation.

C. Access to justice

29. The Chair of the Task Force on Access to Justice reported on the key outcomes of the Task Force’s fifteenth meeting and of the Judicial Colloquium “Judicial protection of human

rights and public interests against environmental pollution from chemicals and wastes”, held back-to-back in Geneva on 3 to 5 April 2023.

30. Representatives of NGOs noted that access to justice did not feature in several major legislative files of the European Union, suggested adopting a directive on access to justice, and reflected on Irish draft legislation representing a step backwards in respect of access to justice rights.

31. The Working Group:

(a) 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;

(b) Also took note of the information provided by delegations on recent developments related to access to justice;

(c) Reiterated that effective access to justice in environmental matters supported the achievement of target 16.3 of the Sustainable Development Goals (promote the rule of law and ensure equal access to justice for all) and underpinned the implementation of other relevant Sustainable Development Goals and targets;

(d) 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, expressed appreciation to partner organizations for supporting that 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 to allocate the resources required for their organization;

(e) Welcomed initiatives of the Parties and stakeholders to implement measures set out in decision VII/3 to date and to encourage its continued implementation.

D. Genetically modified organisms

32. The Chair reported that the fourth Joint Global Round Table on Public Awareness, Access to Information and Public Participation regarding Living Modified Organisms/Genetically Modified Organisms (LMOs/GMOs) was being organized by the secretariat together with the secretariat to the Convention on Biological Diversity and was planned for 11 to 12 December 2023 in Geneva. He recalled that the Meeting of the Parties at its seventh session had urged those Parties whose ratification of the GMO amendment would count towards its entry into force to take urgent steps towards ratification of the amendment and had called upon other Parties to ratify the amendment.⁴

33. The representative of Armenia stated that a law on GMOs, adopted in January 2023, was aligned with the Aarhus Convention and the Cartagena Protocol on Biosafety to the Convention on Biological Diversity, but the country was still not ready to ratify the GMO amendment. The representative of Kazakhstan reported that, in 2022, the Parliament had adopted a new environmental code that allowed for the ratification of the GMO amendment, and an intergovernmental review of the matter was currently ongoing. The representative of North Macedonia reported that no progress had been made towards ratification. The representative of Tajikistan reported on activities regarding the GMO issue and expressed the hope the amendment would be ratified in the near future. The representative of Turkmenistan noted that the country needed expert support from the secretariat on the matter. The representative of Ukraine reported that ratification was expected by the end of 2023.

34. The representative of the European Union and its member States thanked the secretariat for the work done and welcomed the ongoing collaboration between the secretariats of the Aarhus Convention and the Cartagena Protocol on Biosafety.

⁴ ECE/MP.PP/2021/2, para. 34.

35. Representatives of NGOs urged the Parties concerned to take the necessary measures for ratification and noted recent technological developments, such as “predictable DNA”, stating that there was a risk that the same plant in the same country could be declared a GMO under one set of regulations, but not under another.

36. The Working Group:

(a) Took note of the information provided by delegations on recent developments related to the area;

(b) Reiterated its serious concern that the GMO amendment had to be approved by a sufficient number of Parties to enter into force;

(c) 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-mentioned Parties to report at the next meeting of the Working Group on the progress achieved;

(d) Welcomed the intention of Ukraine to ratify the GMO amendment by the end of 2023.

V. Procedures and mechanisms

A. Rapid response mechanism

37. The Special Rapporteur on environmental defenders informed participants of his activities to date, including: the complaints he had received of alleged persecution, penalization and harassment of environmental defenders; his collaboration with Parties and international organizations; his engagement with environmental defenders, the wider human rights community and the media; and his input into relevant international processes. He highlighted his concern at the increasing risks to environmental defenders, e.g., by public figures labelling them as “eco-terrorists” and growing restrictions on civic space and fundamental freedoms. He noted the increasing criminalization, disproportionate sentences and indiscriminate use of force by law enforcement agencies against environmental defenders engaged in civil disobedience. He underlined that peaceful civil disobedience was a legitimate exercise of freedom of expression under article 21 of the International Covenant on Civil and Political Rights. Lastly, he expressed concern regarding the increasing use of strategic lawsuits against public participation to harass and penalize environmental defenders seeking to exercise their rights under the Aarhus Convention.

38. The representative of the European Union and its member States thanked the Special Rapporteur for his report and his contribution to a statement on the withdrawal of Belarus from the Aarhus Convention. She also thanked Parties who supported financially the work area and invited all Parties to consider such financing.

39. The representative of Norway stated that protection of human rights defenders was a national priority, reiterating the country’s full support for environmental human rights defenders. She recognized their crucial role and their challenging situation, highlighting that the effectiveness of the rapid response mechanism depended on its use by defenders, its respect by the Parties and the Special Rapporteur’s work. She commended the Special Rapporteur’s work, including his efforts to engage the public, the Parties and international organizations and institutions. She underscored the issue of allocating sufficient financial resources for the mechanism and reported that Norway had made an additional contribution in 2022 to support it and might consider a contribution in 2023, and actively supported the process aimed at following up on paragraph 18 of decision VII/9, which requested the Secretary General to strengthen the secretariat’s capacity to facilitate the implementation of the rapid response mechanism.

40. The representative of the United Kingdom of Great Britain and Northern Ireland stressed that the unprovoked invasion of Ukraine by the Russian Federation raged on, representing a clear violation of international law and a challenge to environmental

democracy, the protection of human rights and the Convention's principles. The speaker reiterated the commitment of the United Kingdom of Great Britain and Northern Ireland to financially contribute to the Convention's activities, including the Special Rapporteur's work.

41. The representatives of NGOs: (a) highlighted challenges encountered by youth and child environmental defenders, including, their increased stigmatization, negative portrayal in the media and disproportionate risks of intimidation. Such measures as intergenerational dialogue on climate issues and inclusive decision-making processes might address the challenges; (b) expressed concern that some Parties had created a chilling effect for environmental defenders wishing to exercise their rights safely, recalling that there were cases of such defenders being jailed and youth groups communicating their reluctance to talk about or even take academic courses on environment because of the negative consequences. Radicalization was another element of concern when, for example, environmental activists, including youth, were pressured to switch from peaceful protests to radical protests. The focus should be on prevention and introducing "Aarhus preventive dialogues" for the authorities from different ministries and civil society to meet and discuss how to go further; and (c) called on Parties to support the mechanism financially.

42. The Working Group:

(a) Took note of the information provided by the Special Rapporteur on environmental defenders and expressed its appreciation for the work done;

(b) Took note of the information provided by delegations on recent developments and other matters related to the subject area;

(c) Expressed its serious concern regarding challenges facing environmental defenders presented by the Special Rapporteur, NGOs and other stakeholders;

(d) Took note of the threats faced by youth and child environmental defenders, as highlighted by the representatives of the European ECO-Forum and Save the Children and by the Special Rapporteur, and therefore of their vulnerable situation;

(e) Stressed that ensuring the safety of environmental defenders was a key prerequisite for effective implementation of the Convention and indispensable for the achievement of the Sustainable Development Goals, in particular Goal 16;

(f) Welcomed initiatives of the Parties and stakeholders to promote implementation of decision VII/9 on a rapid response mechanism to deal with cases related to article 3 of the Aarhus Convention (ECE/MP.PP/2021/2/Add.1);

(g) Called on Parties, other interested member States and relevant organizations to support the work of the Special Rapporteur on environmental defenders;

(h) 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

43. The Chair of the Compliance Committee updated participants on the Committee's activities, including its recent meetings, increasing caseload and significant lack of resources. She reminded all Parties subject to a decision or request of the Meeting of the Parties that their progress report was due by 1 October 2023, and that all measures to implement the recommendations must be completed, and reported to the Committee by 1 October 2024. She stated that while it was positive that the Committee was in very high demand, it did not have adequate resources to deal with its ever-increasing volume of work efficiently. A tiny secretariat team provided invaluable legal support but it was essential that sufficient financial resources be provided for the secretariat to secure additional legal staff to support the Committee. She emphasized the seriousness of the current situation and called on all Parties

to provide further resources, on a long-term basis, as a matter of urgency to support the Committee's vital work.

44. The representative of the European Union and its member States thanked the Committee for its continued work and close engagement with the Parties in assisting the implementation of the Convention and provided an update on case ACCC/C/2015/128.

45. The representative of Norway thanked the Committee for its continued efforts in ensuring that the obligations of the Convention were adhered to by the Parties and the rights under the Convention were provided to the public, stressing that the Committee presents one of the strongest and most efficient mechanisms among multilateral environmental agreements. She reiterated the expectation of the timely follow-up by the European Union to case ACCC/C/2015/128. She noted the steadily increasing workload of the Committee and the need for additional resources.

46. The representatives of NGOs stressed the fundamental role of the Committee in promoting compliance, calling on all Parties to fulfil their financial commitments so as to ensure long-term and sustainable financing of its work; and urged the European Union to take immediate action to come into compliance with the Committee's findings regarding case ACCC/C/2015/128.

47. The Working Group:

(a) Took note of the information provided by the Chair of the Compliance Committee on the outcomes of the Committee's seventy-fourth to seventy-ninth meetings,⁵ as well as other important issues outlined by the Chair, and expressed its appreciation to the Committee for the work done;

(b) Took note of the information provided by delegations on recent developments and other matters related to the subject area;

(c) Urged the Parties subject to, respectively, decisions VII/8a–VII/8s (ECE/MP.PP/2021/2/Add.1) of the Meeting of the Parties concerning compliance to implement those decisions in a timely and effective manner, especially where implementation required 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 had fully met the requirements of the decision concerning its compliance;

(d) Called on Parties to cooperate with the Committee in a timely and engaged manner so as to support and facilitate its work.

C. Reporting mechanism

48. The secretariat reported that, to date, only the Netherlands and Tajikistan had failed to submit their national implementation reports for the 2021 reporting cycle.

49. The representative of the Netherlands stated that the country was still considering comments of public consultations and would submit the report as soon as possible upon its finalization. The representative of Tajikistan stated that she would look into the matter and inform the secretariat accordingly.

50. The Working Group took note of the information provided by the secretariat and delegations and expressed its concern over the failure of the Netherlands and Tajikistan to submit a report on the Convention's implementation for the 2021 cycle, and urged those Parties to submit their reports without any further delay.

⁵ Respectively, Geneva, 15–18 March, 14–17 June, 13–16 September and (hybrid) 13–16 December 2022 and 21–24 March and 13–16 June 2023.

D. Capacity-building and awareness-raising

51. The representative of the European Union and its member States welcomed the secretariat's initiatives to contribute to the work of other international forums and partner organizations that enabled coordination and synergies between different initiatives and processes.

52. The representative of Uzbekistan reported on the international round table dedicated to the Aarhus Convention held in Tashkent on 1 and 2 June 2023, organized by the secretariat in cooperation with the Ministry of Ecology, Environmental Protection and Climate Change of Uzbekistan, the German Agency for International Cooperation, UNDP, OSCE and other partner organizations. He reported that a draft document on joining the Aarhus Convention was currently being developed.

53. The representative of UNDP briefed on the organization's activities supporting environmental justice and reiterated its continued commitment to supporting implementation of the Convention, including through capacity-building and awareness-raising programmes.

54. The representative of OSCE informed about its three-year project aimed at ensuring the sustainability of the Aarhus Centres and at facilitating their role in promoting good environmental governance, reducing environmental risks, and improving human well-being and social equity. Following the expressed interest of Uzbekistan in acceding to the Aarhus Convention and establishing Aarhus Centres in the country, OSCE stood ready to support the country in defining the institutional and operational set-up of Aarhus Centres.

55. The representative of the Yerevan Aarhus Centre reported on activities regarding environmental information and education. She stressed that out of 15 Aarhus Centres only the Yerevan Aarhus Centre was functioning regularly. A Ministry of Environment working group had been established to deal with that issue.

56. The representatives of NGOs highlighted: (a) the importance of capacity-building and public participation amongst youth, stressing insufficient space for youth to voice concerns, needs and solutions, and positive developments such as a youth task force on education for sustainable development and a youth movement aimed at increasing climate literacy across all generations, also welcoming any support in educating youth on the Aarhus Convention and its processes; (b) the need for training for professionals and civil society stakeholders and awareness-raising for the general public, noting specific areas such as climate rights and cases of strategic lawsuits against public participation.

57. The Working Group:

(a) Took note of the information provided by the delegations;

(b) 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;

(c) Recognized once again the important role that the Aarhus Centres played in providing a neutral platform for authorities, NGOs and other stakeholders to support the Convention's implementation in countries with economies in transition, and in promoting multi-stakeholder dialogue on Sustainable Development Goals, welcomed efforts by OSCE to promote the sustainability of those Centres, and called on Parties and other interested member States to support said efforts;

(d) 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 into those programmes as a cross-cutting instrument supporting the achievement of the Sustainable Development Goals;

(e) Welcomed the efforts of Uzbekistan to accede to the Aarhus Convention and encouraged the country to proceed with accession as soon as possible.

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

58. The Chair of the thematic session opened the session. The topics for discussion included the promotion of the Convention's principles in international forums regarding: (a) decision-making on environmental impact assessment in a transboundary context; (b) international trade-related decision-making; and (c) balanced and equitable participation and different modalities for engaging stakeholders.

59. Additional topics included updates on subjects: (a) considered at the previous meetings of the Working Group of the Parties, such as promotion of the Convention's principles regarding a legally binding instrument on business and human rights under the Human Rights Council, in Sustainable Development Goals-related processes and in climate- and plastic-related international forums; and (b) to be addressed by upcoming forums, including environmental-related processes under the General Assembly, such as the Sustainable Development Goals Summit (New York, 18–19 September 2023) and the Summit of the Future (New York, 22–23 September 2024).

A. Environmental impact assessment in a transboundary context

60. The representative of Croatia presented the country's efforts to promote transparency and public participation in transboundary water management decision-making, carried out through: (a) the International Commission for the Protection of the Danube River, which had established an expert group on public participation; and (b) the International Sava River Basin Commission, which involved national bodies, stakeholder groups and the wider public through a variety of initiatives and information channels. The Sava Youth Parliament encouraged youth participation by educating youth on water-related issues and presenting its materials at different formal events under the latter Commission.

61. The Secretary to the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) gave a comprehensive overview of the obligations, rules of procedure and practices on access to information and public participation under that Convention, highlighting the treaty's key role in promoting environmentally sound planning and transparent and participatory decision-making.

62. The representative of the Mekong River Commission described the key stages of transboundary environmental impact assessment application under the *Guidelines for Transboundary Environmental Impact Assessment in the Lower Mekong River Basin*.⁶ Specific focus was placed on regulating initiation and early consultations, transboundary consultation of the environmental impact assessment report, regional consultation, and public participation, dissemination of information and consultations within the potentially affected country.

63. The representative of the European ECO-Forum reflected on the importance of article 3 (7) of the Convention in the light of the Convention's objective and the interdependent ongoing climate and biodiversity crises. Referring to the 2023 *Synthesis Report of the Intergovernmental Panel on Climate Change Sixth Assessment Report*,⁷ she stressed that the current scale and pace of the actions to address the climate change crisis were insufficient, also presenting real risks in a transboundary process. It was vital to bring the Convention's principles to every international environmental decision-making forum. She recalled that the Convention's principles should be promoted in the work of the International Atomic Energy Agency (IAEA). In the discussion, the representative of NGOs highlighted the lack of public participation in the work of IAEA, calling on Parties also IAEA member States to address that matter.

⁶ Vientiane, Mekong River Commission Secretariat, 2023.

⁷ See www.ipcc.ch/report/sixth-assessment-report-cycle/.

B. International trade-related decision-making

64. The representative of Norway gave a presentation on the Stakeholder Reference Group – established as a national follow-up mechanism for public information and participation in decision-making under the European Economic Area Agreement. The Government of Norway had developed a publicly accessible database also describing new European Union legislation and implications for Norway from the early stages, starting with proposals and adoptions, through to inclusion in said Agreement and implementation in Norway. The Norwegian Environment Agency maintained a dedicated website on European Union legislation under development, road maps and hearings (both in the European Union and in Norway) and reports from European Union meetings in which Norway participated. The Stakeholder Reference Group informed stakeholders about European Union developments and incorporated stakeholders' suggested topics, as well as relevant information from global forums, encouraging in-person participation to enhance engagement and networking.

65. The representative of WTO presented the organization's efforts to increase transparency and public participation, including its response to early criticism of lack of transparency, facilitation of access to information at the multilateral level, and recent members' and WTO secretariat initiatives, including the WTO Public Forum, stakeholder-specific outreach and training sessions in Geneva and abroad, as well as the WTO Director-General's two advisory groups for, respectively, civil society representatives and business leaders. He noted that public participation remained restricted and in the hands of the WTO membership.

66. The representative of the European ECO-Forum highlighted the contradictions between trade concerns and environmental concerns. Proposals for solutions in that regard included application of the Convention's principles throughout the United Nations system, speeding up the progress of WTO, supporting the involvement of civil society organizations in developing trade positions, and systematically building capacity at the national level.

C. Balanced and equitable participation and different modalities for engaging stakeholders

67. The Chair briefed participants on the results of the survey for the Parties to the Aarhus Convention, other interested member States, international forums, non-governmental organizations, intergovernmental organizations, Aarhus Centres, Regional Environmental Centres, academia, judiciary and other stakeholders (AC/WGP-27/Inf.4).

68. The representative of Cyprus gave a presentation on the hosting of the Ninth "Environment for Europe" Ministerial Conference (Nicosia, 5–7 October 2022), which was exemplary in the way that it engaged various stakeholder groups and provided equal opportunities for participation, as well as ensuring that information was shared extensively and in a timely manner. The Conference had been open to all categories of interested actors, and international NGOs had been invited and financially supported. During the preparation phase, a dedicated website had been established and press conferences and other information events held to distribute all necessary information. The Conference had been broadcast live and covered by a dedicated press office. In-person participants could also receive local and official language translations. Many side events had been held, including two on the Aarhus Convention.

69. The representative of the UNEP/Mediterranean Action Plan (MAP) Coordinating Unit/ Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention) secretariat stated that the MAP data policy provided timely and free availability of all data,⁸ and the Code of Conduct for MAP Partners⁹ regulated the responsibilities of civil society cooperation and partnership. The Mediterranean Commission on Sustainable Development served as a forum for debate and exchange of

⁸ See <https://wedocs.unep.org/handle/20.500.11822/37107>.

⁹ See <https://wedocs.unep.org/handle/20.500.11822/7305>.

experiences on sustainable development issues concerning all interested parties in the Mediterranean region. Work on promoting accession to and implementation of the Aarhus Convention was carried out through a flagship initiative under the Mediterranean Strategy for Sustainable Development.

70. The representative of the European ECO-Forum referred to the Almaty Guidelines on Promoting the Application of the Principles of the Aarhus Convention in International Forums,¹⁰ particularly article 15 thereof, and elaborated on the issue of balanced and equitable participation by ensuring representation of diverse constituencies, underscoring the critical challenges, including existing inequality in access to international forums due to visa and logistical issues and undue economic or political influence. It was further suggested that due facilitation should be in place for those constituencies most directly affected, similarly to the good practice of the United Nations Voluntary Fund for Indigenous Peoples, as well as dedicated measures to address corporate capture and sponsorship of international forums, and it was proposed that cooperation between the Aarhus Convention and the Escazú Agreement activities be continued.

71. In the subsequent discussion, the following views were shared:

(a) The representative of the Netherlands noted that the country highly valued inclusion of different perspectives in international forums, as demonstrated by the engagement of various stakeholders, including NGOs and youth, in the processes of the Convention on Biological Diversity, the Conference of the Parties to the United Nations Framework Convention on Climate Change (UNFCCC), and in the negotiations on a new legally binding instrument on plastic pollution;

(b) A child environmental defender from Child Rights Connect underscored that youth and children were excluded from the negotiations and noted that they should be consulted prior to and participate in negotiations processes. Norway had set a good example by engaging youth members in the national delegation to the Conference of the Parties to UNFCCC;

(c) The representative of European ECO-Forum stressed the importance of article 15 of the Almaty Guidelines and suggested considering a thematic session or commissioning a technical report on that topic.

VII. General discussion

72. During the general discussion, which also covered additional topics, the following statements were made:

(a) The representative of Switzerland invited Parties and observers to engage in intergovernmental consultations on the environmental sustainability of extracting minerals and metals and to make proposals regarding public participation in extraction projects;

(b) The representative of Italy noted that some countries were requesting to balance participation of NGOs from the “Global South” and the “Global North” under multilateral environmental agreements with a global application, in particular by restricting participation of NGOs from Europe, and pointed out in that regard that civil society organizations were self-defining and many were of a cross-regional and “cross-nations” nature;

(c) The representative of European ECO-Forum noted that conflicts of interest should be clearly addressed in the context of international decision-making, and congratulated Parties on their continuous attention to the negotiations on an international legally binding instrument on plastic pollution, welcoming the financial support provided to NGOs for attending the second session of the Intergovernmental Negotiating Committee (Paris, 29 May–2 June 2023), and reported on letters to the Executive Director of UNEP and the Executive Secretary of the Intergovernmental Negotiating Committee on NGO concerns

¹⁰ ECE/MP.PP/2005/2/Add.5, decision II/4, annex.

regarding public participation, as well as a letter highlighting obstacles to scientific input to global policy;

(d) The representative of Consiente Colectivo thanked Parties for the support to Escazú Agreement processes and stressed the significant lack of resources for promoting environmental rights in the Latin America and the Caribbean region;

(e) The representative of Save the Children highlighted that child participation was one of the four guiding principles of the Convention on the Rights of the Child, which was in line with the Aarhus Convention, and called for the enhancement of children's participation in international processes and the promotion of meaningful and safe mechanisms for their participation at the national level;

(f) The representative of UNEP highlighted its commitment to transparency and participatory processes, noting that the Intergovernmental Negotiating Committee secretariat had made significant efforts to ensure participation of various stakeholder groups in negotiations for the first (Punta del Este, Uruguay, 28 November–2 December 2022) and second sessions of the Committee and that efforts were being made to find venues with larger capacity for future sessions.

VIII. Chair's summary of the session

73. The Chair of the thematic session thanked the panellists and other speakers for their valuable contributions, and noted that the panels had in many ways related to each other, stressing in particular the concluding points below.

74. The tensions caused by climate change and energy crisis in societies could not be used as grounds for reducing environmental information and public participation. The conflicts those issues generate were mobilized to justify short circuiting and undermining rights to information, participation and access to justice. Some political forces relativized the application of the Aarhus Convention principles, and it was even more important in that context to recall that those principles were essential to making transparent, sustainable and socially just decisions.

75. The decision-making processes dealing with environmental impact assessment in a transboundary context or in trade negotiations generally involved strong interest from diverse stakeholders, who did not necessarily have the same resources. They therefore had an unequal capacity to voice their position. It was important to openly declare eventual conflicts of interest during such negotiations, and to guarantee that the public affected by an activity participated in the related environmental impact assessment, even if the public did not master the languages used in the decision-making process, or lacked expertise or legal knowledge. Although digital participation greatly helped to include different type of stakeholders and widen public participation, it should not replace in-person participation. The latter was essential for civil society networking and for consolidating common views between different types of actors.

76. The panellists had demonstrated that access to information and public participation remained a concern for many international organizations. It was encouraging to hear that public participation was beginning to be discussed within WTO, but the question remained as to how in practice WTO would engage the public so as to increase the effectiveness of its decision-making mechanisms. Given the climate crisis, increased environmental concerns and the need to achieve the Sustainable Development Goals, transparency and public participation needed to be improved in trade negotiations at the regional and national levels. WTO could, for example, consider introducing strategic impact assessments regarding environmental, gender, human rights and labour issues. Article 3 (7) of the Aarhus Convention should be interpreted and applied with regard to both procedures of international forums and the substance of trade decisions.

77. The representatives of NGOs had raised an important concern about stakeholders' unequal capacities to influence negotiations and invited participants to reflect on how to guarantee balance between stakeholders and their equitable participation.

78. Another issue was how to integrate the obligations under article 3 (7) into different decision-making processes. The interventions had shown the need to implement in synergy different legally binding instruments, such as the Aarhus Convention and the Espoo Convention. For Parties to both instruments, those instruments could not be considered in isolation. The implementation of article 3 (7) implied that States should engage the public early on in the process and that international organizations, particularly IAEA, should organize the decision-making process taking into consideration the obligations under article 3 (7). The debates had shown the need to consider how to enhance collaboration between legally binding instruments adopted in different regions, noting the encouragement for cooperation between Aarhus Convention Parties and Escazú Agreement Parties. The presentations had addressed some interesting initiatives taken at the national and international levels to integrate environment and trade. The example of Norway showed some pathways, at a national level, to inform stakeholders about European Union legislation under development and to integrate environmental and trade policies.

79. Regarding the participation of youth and children, the discussion had shown that many initiatives had been taken by States and civil society to involve children and youth in international forums, including educational and awareness-raising events on environmental issues. The importance of involving children and youth in international forums, not only as passive observers but as active participants should be highlighted and promoted.

80. Lastly, recalling the statement of the Working Group's Chair (see para. 7 above) who had stressed the current difficult situation in the region and globally in view of the invasion of Ukraine by the Russian Federation, which had inflicted untold suffering on the Ukrainian people, with profound global implications, including the direct undermining of the Aarhus Convention and its principles, e.g., those the focus of discussions at the current session. It was important that, in such circumstances, all worked to safeguard the promotion of the Convention's principles in international forums, and to ensure that more efforts were made to safeguard a balanced and equitable participation of stakeholders in international decision-making. There was clearly much work to be done, but also a strong drive to continue to make progress.

IX. Conclusions

81. Pursuant to the outcomes of the session, the Working Group:

(a) Expressed its appreciation to the representatives of Croatia, Cyprus, Norway, the secretariat of the Espoo Convention, the UNEP/MAP Coordinating Unit/Barcelona Convention secretariat, WTO, the Mekong River Commission for Sustainable Development and the European ECO-Forum for their presentations and took note of the information provided;

(b) Took note of the statements by Parties and stakeholders regarding promotion of the Convention's principles in processes dealing with 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;

(c) Welcomed achievements and good practices and noted challenges highlighted by speakers;

(d) Urged Parties in that regard to increase their efforts to promote the Convention's principles in international forums and processes related to the above forums;

(e) Thanked Parties and stakeholders that had participated in the survey and noted the key outcomes shared through the survey;

(f) Took note of Parties' and stakeholders' statements 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 those subject areas;

(g) Recognized that interventions of Parties to the Convention in other international processes were critical to the promotion of public participation, and welcomed positive developments achieved on relevant matters at the fifty-eighth sessions of the Subsidiary Body for Scientific and Technological Advice and the Subsidiary Body for Implementation of UNFCCC (Bonn, Germany, 5–15 June 2023);

(h) Encouraged Parties and the secretariat to the Convention, and stakeholders involved in the Convention's processes to cooperate closely with Parties to the Escazú Agreement and stakeholders participating in the Agreement's processes on matters related to public participation in international forums;

(i) Took note of the issues related to balanced and equitable participation (Almaty Guidelines, para. 15) in multiple environment-related international forums 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 were most directly affected and that might lack the means to participate in those processes;

(j) 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;

(k) Recognized the importance for Aarhus Convention Parties also member States of IAEA to promote the Convention's principles in the processes under that organization, in particular to improve transparency;

(l) Called on Parties to continue fulfilling their obligations under article 3 (7) of the Aarhus Convention and to consider the results achieved at the next meeting of the Working Group of the Parties;

(m) Reiterated that promotion of transparency and effective decision-making on environment-related matters was key to the achievement of Sustainable Development Goals, in particular Goals 16 and 17.

X. Promotion of the Convention and other relevant developments and interlinkages

82. The representatives of the European ECO-Forum: (a) called on Parties to strengthen synergies between the Aarhus Convention and other relevant multilateral environmental agreements and to promote the Convention in relevant international processes related to the right to a healthy environment, recalling General Assembly resolution 76/300 on the human right to a clean, healthy and sustainable environment¹¹ and article 1 of the Aarhus Convention; and (b) welcomed the recent progress made by the Parties to the Escazú Agreement and noted that cooperation could be mutually beneficial between the Escazú Agreement and the Aarhus Convention, suggesting that proposals be developed for such cooperation.

83. The representative of Consciente Colectivo touched upon the difficulties in implementing the Escazú Agreement in Latin America and the Caribbean – the world's most unequal region and the most dangerous for environmental human rights defenders. He called on Parties and international organizations to provide support and resources to protect the region's unique environment and social advancement.

84. The Chair of the Aarhus Convention Compliance Committee expressed the Committee's readiness to cooperate on activities under the Escazú Agreement as appropriate.

85. The Working Group:

¹¹ A/RES/76/300.

(a) Took note of the information provided by delegations regarding the Convention's promotion and other relevant developments and interlinkages, notably in the Latin America and the Caribbean and the Mediterranean regions;

(b) Welcomed initiatives undertaken by the secretariat, Parties or stakeholders to promote the Convention beyond the ECE region and in other relevant processes. It called upon the secretariat, Parties, stakeholders and relevant organizations to continue cooperation and to further promote synergy in the area of environmental rights, including regarding universal processes related to the protection of the right to a clean, healthy and sustainable environment as recognized through General Assembly resolution 76/300 and other relevant regional processes;

(c) Encouraged cooperation, collaboration and support from the Aarhus Convention 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 Escazú Agreement.

XI. Implementation of the work programme for 2022–2025, including financial matters

86. The secretariat reported on the outcomes of a recent Self-evaluation on the activities serviced by ECE under the Aarhus Convention and its Protocol on PRTRs,¹² which had resulted in recommendations, including: (a) continue to encourage a participatory and human rights-based approach, synergy and gender considerations; (b) seek ways to strengthen Aarhus Centres; (c) allocate adequate budget to address the serious lack of resources; (d) strive to ensure conformity of activities with the accessibility standards for persons with disabilities; and (e) promote the importance of evaluations. The secretariat also reported on contributions and pledges received from Parties between 16 and 23 June 2023, as well as on major trends and concerns related to the financial situation, including the process aimed at following up on paragraph 18 of decision VII/9. Representatives of the European Union and its member States, Lithuania, Norway, Switzerland and the European ECO-Forum made statements in that regard. The representative of Tajikistan reported on the country's activities in support of the Convention's implementation.

87. The Working Group:

(a) 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 (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 and the Protocol on PRTRs;

(b) Welcomed the synergies with partner organizations that helped to effectively implement the work programme;

(c) Took note of the information provided by delegations on their expected financial contributions;

(d) Urged Parties that did not contribute to proceed with the contributions for all missing years without any further delay;

(e) Called upon the Parties to proceed with making financial contributions as soon as possible and expressed its concern over the fact that contributions were still arriving late in the year;

(f) Expressed appreciation for the work done by the secretariat;

(g) Expressed serious concern regarding the continuous low level and irregularity of the financial contributions, which had an impact on the work programme's

¹² See https://unece.org/evaluation-reports#accordion_2.

implementation, and recognized the need to provide urgent funding support as a priority for work programme area “V. Compliance mechanism”;

(h) Called on all Parties to contribute financially to the Convention. Those already contributing were invited to strive to significantly increase their contributions in view of the expanded workload and complexity of the work of the Compliance Committee, including regarding advisory support and capacity-building for the Parties concerned; and the introduction of the new rapid response mechanism, as provided for in the adopted work programme for 2022–2025.

XII. Preparations for the eighth session of the Meeting of the Parties

88. The secretariat informed the Working Group that no formal offers to host the eighth ordinary session of the Meeting of the Parties had been received to date, recalling that the next session would be held tentatively in the autumn of 2025, back-to-back with the fifth session of the Meeting of the Parties to the Protocol on PRTRs.

89. The representative of Lithuania expressed the country’s initial interest in hosting the next sessions of the Meeting of the Parties to the Aarhus Convention and to the Protocol on PRTRs in 2025.

90. The Working Group:

(a) Took note of the information shared by the secretariat regarding the next session of the Meeting of the Parties;

(b) 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 the autumn of 2025;

(c) Welcomed the preliminary interest expressed by Lithuania in hosting the next sessions of the Meetings of the Parties and encouraged potential host Parties to express an interest in hosting such sessions;

(d) Requested the secretariat to liaise with Lithuania and other potential host countries on hosting matters and to report to the next meeting accordingly.

XIII. Adoption of outcomes

91. The Working Group of the Parties adopted the major outcomes and decisions of the meeting (AC/WGP-27/Inf.5), and requested the secretariat, in consultation with the Chair, to finalize the report and incorporate those adopted outcomes and decisions therein.
