

**Additional Statement by Justice and Environment concerning Agenda Item 3(b)(i):  
Draft decisions on compliance with the Convention**

Dear Chair,

Thank you for the floor and for the fruitful discussion. But to be crystal clear: If I understood the intervention by Switzerland correctly, they were making not one but two points, and perhaps only one of these two points has been properly addressed in our discussions.

Please correct me if incorrect, Switzerland, but the first point concerned the need to abide by deadlines. Deadlines which we know we not respected by Czechia when it submitted major substantive proposed changes to a compliance decision against it, including non-endorsement, on Thursday, the 7<sup>th</sup> of December (bearing in mind that the Espoo MOP was scheduled to begin on Tuesday, the 12<sup>th</sup> of December). Thus the clear deadline for commenting was well past and it is indeed likely few, if any Parties have had the chance to properly consider Czechia's proposals. I think both you, Chair, and the secretariat spoke clearly and constructively on this issue and I do not need to repeat your eloquent, very on point remarks.

At the same time, again, I understood Switzerland to also be raising an issue of transparency. Because when, last Thursday, Czechia sent in its comments, it specifically requested that they be shared only with registered participants. In other words, they requested that their comments not be published on the UNECE website. And there I see another very serious problem. Comments of this nature should be made public, they belong on the UNECE dedicated website for the Espoo MOP. Period, full stop.

I say this not just for me or the CSO community, but all the Parties on the floor with us today. You must be aware that people, like me, who registered late for the MOP fail to receive such important comments entirely and are being asked to respond here and now from the floor on them, with little to no opportunity to consider what precisely we are agreeing or objecting to. Another important example includes some EU comments, which are, if not mistaken, also not on the website and were not shared with me as a late registrant for this event. Now, from what I can see, the EU is making some excellent proposals which I could enthusiastically support. But even I, as a native English speaker, as a lawyer, have difficulties following all the proposals as we on this floor fly through them.

I cannot imagine how it must be for others, who are not native English speakers, not lawyers, who registered late for the event, or are simply having difficulty finding something that was sent in an email some months ago, yet is not on the dedicated Espoo MOP website. I appreciate Switzerland's proposal to address the issue of publications on the UNECE website in the Bureau, and I support that.

But I also think it important to address the issue now, have it on the meeting report. Not just for us CSOs, but for the Parties and all involved. We need a level-playing field, and this is simply not possible when comments are only circulated selectively. It is not transparent, places Parties in the position where they have to make important decisions without having the information they critically need. And it also is not consistent with article 3(7) of the Aarhus Convention, a treaty to which most of the Parties here are also a part of, and thus is binding on them, too.

Thank you.