

28th Meeting of the Working Group to the Aarhus Convention

(2-4 July 2024)

Agenda item 6 (a)(i): Compliance mechanism

Norway

Norway thanks the Compliance Committee, eminently assisted by the Secretariat, for their continued efforts to contribute to the adherence by the Parties of the obligations of the Convention. The Committee does so by thoroughly considering general issues, submissions and communications through transparent and fair procedures, reporting their conclusions and recommendations to the Meeting of the Parties for consideration and report on the progress of the follow-up on the decisions made by MOP.

The need for continued efforts to implement these rights have been highlighted through presentations from Parties and NGOs earlier today and the information we have just received from the Chair of the Committee.

The Compliance Mechanism of the Aarhus Convention is one of the strongest and most efficient among the mechanisms of environmental conventions. To keep it that way will require continued shared efforts from the Parties and the public. We note the precarious situation of the Committee due to an increasing case-load but no matching increase in resources and the need to consider ways to support the Committee in order for it to keep up its important work.

Norway has in previous years made additional contributions to the work under the Convention, including for use primarily for the work under the Compliance Committee and also once for the Rapid Response mechanism and the Special Rapporteur. Whether this would be possible also this year

will depend on the availability of resources and the priorities to be made for their use.

We would urge other Parties to do their utmost to contribute at least with the minimum amount set out in MOP Decision VII/6 para 1(b).

We appreciate the efforts made by the Secretariat to follow up on para 18 of Decision VII/9 by the Meeting of the Parties which requests the Secretary-General to strengthen the secretariat's capacity to facilitate the implementation of the rapid response mechanism. Norway actively supported proposals that resulted in the decision taken by the ECOSOC last year on contributions from the regular budget. We hope that a decision approving such contribution will be taken this year as well, as this would contribute to the necessary resources for the Compliance mechanism, including the work of the Special Rapporteur.

At the last Meeting of the Parties it was decided to deviate from the long-standing and consistent practice to endorse the findings and recommendations of the Compliance Committee in case ACCC/C/2015/128 concerning The European Union. The decision on that case was postponed to the next Meeting of the Parties.

The European Union expressed its continued commitment to ensuring that the EU respects its international obligations in matters pertaining to the Aarhus Convention.

We therefore appreciate that the European Union – after carrying out an online public consultation on possible options to address the findings of the Compliance Committee, in which Norway expressed a preference for the

option to amendment of the Aarhus Regulation – followed up with a recommendation last year from the Commission to the European Parliament and the Council in which it concluded that ensuring compliance with the Compliance Committee’s findings in the case requires an adjustment to the existing legal framework or equivalent measure. We also note with appreciation that the Commission recently called for evidence and expressed the aims to develop a new procedure under which access to justice in environmental matters can be guaranteed in relation to EU State aid decisions that are relevant in the context of the Committee’s findings.

We therefore reiterate the expectation – as also expressed in the report from the last Meeting of the Parties that the EU will follow up on the commitments it expressed in time for the Compliance Committee to review the follow-up and to report and make any recommendations necessary to the Meeting of the Parties accordingly.