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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-eighth meeting
Geneva, 2–4 July 2024

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

I. Introduction

1. The twenty-eighth 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 2 to 4 July 2024.
2. The meeting focused on implementation of the work programme for the Convention for 2022–2025 (ECE/MP.PP/2021/2/Add.1, decision VII/5, annex I) and on preparations for the eighth session of the Meeting of the Parties in 2025. The meeting included thematic sessions on access to justice and on the promotion of 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.1/2024/4) 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, Cyprus, Czechia, Denmark, Estonia, European Union, Finland, France, Georgia, Germany, Guinea-Bissau, Hungary, Ireland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Luxembourg, Malta, Montenegro, Netherlands, North Macedonia, Norway, Poland, Republic of Moldova, Romania, Serbia, Slovakia, Slovenia, Sweden, Switzerland, Tajikistan, Turkmenistan, Ukraine and United Kingdom of Great Britain and Northern Ireland.
4. Delegates from Uzbekistan were also present.
5. The meeting was also attended by representatives of the International Seabed Authority (ISA), the United Nations Economic Commission for Europe (ECE), the United Nations Environment Programme (UNEP), the United Nations Development Programme (UNDP), the Office of the United Nations High Commissioner for Human Rights (OHCHR), the Organization for Security and Cooperation in Europe (OSCE), the National Oceanic and Atmospheric Administration Chemical Sciences Laboratory (NOAA CSL) (United States of

America), judiciary, judicial institutions and academia. Representatives of environmental and other non-governmental organizations (NGOs) participated, many of whom coordinated their input within the framework of European ECO-Forum and spoke on its behalf.¹

B. Opening of the meeting and adoption of the agenda

6. The Chair opened the meeting, stressing the severe and widespread devastation caused by the war launched by the Russian Federation against Ukraine – an untold blow to multilateralism and the values of the United Nations. He referred to various resolutions adopted by the General Assembly and the Human Rights Council on the impact of the war on human rights and international humanitarian law – an issue that was inevitably relevant to the Convention’s implementation.

7. The Working Group took note of the information provided by the Chair and delegations and adopted the provisional agenda of the meeting (ECE/MP.PP/WG.1/2024/1).

II. War in Ukraine and implementation of the Convention

8. A representative of Ukraine shared achievements and challenges facing the country in implementing the Convention due to the war launched by the Russian Federation against Ukraine, noting the damage on the environment and referring to it as ecocide. EcoZagroza and EcoSystem,² digital platforms for public access to environmental information, provided up-to-date information on the environment and on monitoring of environmental destruction caused by the war. Uploaded data sets included the national pollutant release and transfer register (PRTR). Amendments to the Law on Environmental Impact Assessment had entered into force, integrating features of martial law. Preparations for the national implementation report of the 2025 reporting cycle had also begun.

9. A representative of European ECO-Forum shared current challenges in implementing the Convention in Ukraine. Ukraine was seeking redress from the Russian Federation through the establishment of a compensation commission and it would be critical to take into consideration the Convention’s provisions in the future framework on war-related damages and crimes.

10. Representative of the European Union and its member States, Norway, the United Kingdom of Great Britain and Northern Ireland and various NGOs condemned the military aggression of the Russian Federation and its violation of international law, including the Charter of the United Nations, expressing support for and solidarity with Ukraine and its people, stressing the devastating environmental and human rights violations caused by the war, and commending Ukraine for its impressive efforts to uphold the rights under the Convention and its Protocol on PRTRs.

11. The Working Group:

(a) Took note of the information presented by the representative of Ukraine regarding challenges faced in implementing the Convention due to the war, as well as achievements and other relevant developments;

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

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/environmental-policy/events/twenty-eighth-meeting-working-group-parties-aarhus-convention>. Several Parties and stakeholders connected remotely. Only those Parties represented in person at the meeting were counted for the purposes of decision-making.

² See, respectively, <https://ecozaagroza.gov.ua/en> and <https://eco.gov.ua/>.

(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) Reiterated its call 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 challenges noted by NGOs regarding implementation of the Convention due to the war and encouraged Parties to support the Ukrainian public's efforts to further the Convention, including in the context of green recovery and rebuilding programmes;

(f) Took note of the statements made and relevant developments presented by other delegations.

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. Currently, there were 47 Parties to the Convention, 32 to the GMO amendment and 38 to the Protocol.

13. A representative of Uzbekistan reported on progress towards accession to the Convention, noting that accession was pending a final decision by parliament. Representatives of NGOs noted the pending ratification of the Protocol on PRTRs by Bosnia and Herzegovina and reported on a study outlining progress made by Belarus after ratifying the Convention, its possible road map to reaccession and the current persecution of environmental defenders.

14. The Working Group:

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

(b) Welcomed the progress reported by the representative of Uzbekistan towards accession to the Convention;

(c) Took note of the statements made and information on relevant developments presented by other delegations.

IV. Substantive issues

A. Thematic session on access to justice

15. The session was chaired by the Chair of the Task Force on Access to Justice, who introduced the topics for discussion: (a) access to justice to challenge violations of laws relating to the environment; and (b) collective redress in environmental matters.

1. Access to justice to challenge violations of laws relating to the environment

16. A representative of Finland highlighted recent efforts to enhance public opportunities to challenge omissions by or inactivity on the part of public authorities. Challenges could be brought in a free, open, non-binding administrative review procedure before the Chancellor of Justice or the Parliamentary Ombudsman. However, access to judicial review before administrative courts was primarily limited to challenges based on administrative decisions. To align with recent European Union law proposals requiring public access to judicial review in cases of omissions by or inactivity on the part of public authorities, options were being explored in cooperation with the Ministry of Justice and other relevant authorities.

17. A representative of Serbia outlined opportunities for the public to challenge violations by private persons of laws relating to the environment in accordance with the country's legal framework and practice. Members of the public had initiated several successful cases by filing a criminal complaint against illegal hazardous waste management and a civil lawsuit based on *actio popularis* to prohibit exceeding emission level values. To improve environmental law enforcement, the Ministry of Environmental Protection in cooperation with OSCE had developed various guides and training courses to address different environmental violations and improve coordination among key actors.

18. A representative of the Association of Judges of the Kyrgyz Republic presented the Association's efforts to enhance public access to justice in environmental matters. In September 2023, with support from UNDP, ECE and the United States Agency for International Development, the Supreme Court of Kyrgyzstan and the Association had organized an international conference aimed at bolstering regional cooperation in promoting environmental justice and raising awareness of the judiciary's role. Additional initiatives included the: creation of a national multistakeholder dialogue platform to improve access to justice; review of relevant legislation; development of guidance and training modules for judiciary, prosecutors and trial lawyers on environmental disputes resolution; and, provision of training for said actors at the subnational level.

19. A representative of the European ECO-Forum/Youth and Environment Europe stressed the essential role of youth and children in raising awareness, advocating for environmental justice and demanding more ambitious policies to address the triple environmental crisis (climate change, pollution and biodiversity loss). While children and youth were increasingly recognized as key stakeholders in implementing the Convention, they continued to face significant challenges in access to justice. In collaboration with Child Rights International Network, major recommendations had been proposed to address said challenges, including: amending the rules of standing; reversing the burden of proof in environmental cases; relaxing limitation periods in environmental proceedings; providing legal aid; and ensuring child- and youth-friendly access to court complaints and mechanisms.

20. A representative of the European Commission expressed concern at increasing environmental crimes, which had led to the recent adoption and entry into force of a new European Union Environmental Crime Directive.³ The Directive featured a comprehensive list of criminal offences, introduced a graduated penalty system, bolstered the enforcement mechanism and recognized the role of civil society by supporting persons reporting crimes or otherwise cooperating with competent authorities and by ensuring procedural rights in criminal proceedings. Those provisions were reflected in the draft Council of Europe Convention on the Protection of the Environment through Criminal Law recently agreed at the technical level. Representatives of various NGOs: (a) expressed regret that access to justice was increasingly under threat and uneven in some Parties; and (b) called for adjustments to access to justice systems to ensure that the increasing number of displaced persons and persons in other vulnerable situations received equitable access.

2. Collective redress in environmental matters

21. A representative of the Netherlands introduced the concept of collective redress to effectively protect the environment, highlighting its significance in ensuring compliance with environmental law when individual legal actions could fail and the general increase of such actions in the past decade. Collective redress could encompass group actions, representative actions by qualified entities and group settlements. While largely applied in the fields of public law and civil law, collective action should be further considered in criminal law. The accessibility of that mechanism for environmental NGOs remained important. Although the criteria for NGOs' standing were set by national rules, those rules might not exclude NGOs from access to justice, in the light of the Convention.

22. A representative of the European Union Forum of Judges for the Environment shared recent developments concerning a collective redress mechanism in the European Union and

³ Available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32024L1203>.

Spain. The European Union Representative Actions Directive⁴ set out rules to ensure that said mechanism would be available in all member States by June 2023, in line with the transposition schedule. Aiming to protect the collective interest of consumers, the Directive defined the scope of claims, the legal standing of qualified entities and mechanisms covering domestic and cross-border infringements. The Directive explicitly took account of the Convention regarding environmental matters.

23. A representative of the European ECO-Forum/Justice and Environment reiterated the Convention's objective to protect the right to a healthy environment for all and emphasized the benefits of collective redress in that regard. That mechanism could: overcome restrictive individual standing for public environmental interests claims; provide effective, fair, equitable and not prohibitively expensive remedies; harness the advantages of procedural economy; deter unlawful practices; and offer plaintiffs better protection against retaliation. Such mechanisms should be carefully designed to meet the Convention's requirements, ensuring that they avoided unduly restrictive standing criteria, inadequate compensation, lack of injunctive relief and forum shopping.

3. General discussion

24. Delegates discussed other measures to promote effective access to justice as envisaged in documents ECE/MP.PP/WG.1/2024/11 and AC/WGP-28/Inf.10, in particular: measures undertaken by Austria regarding elimination of financial barriers, provision of assistance to the public to bring environmental cases, access to independent environmental expertise, reduction of the duration of environmental cases, e-justice initiatives and training in environmental law; the need of Guinea-Bissau for environmental law reform, a reduction of legal costs, and the strengthening of traditional and modern justice systems to effectively address environmental crimes; the global trends highlighted in the UNEP publication *Environmental Rule of Law: Tracking Progress and Charting Future Directions*,⁵ including digitalization of the justice system, the surge in climate litigation, broadening the nature and scope of remedies and widening court jurisdictions; and the OHCHR perspective on inclusive access to justice pathways in line with the Convention and human rights law, the removal of obstacles to access to justice, ensuring judicial expertise on environmental matters, and accountability of public and private sector actors.

25. Representatives of NGOs reflected on: (a) the Armenian Ombudsperson's annual report to the National Assembly⁶ calling for the establishment of an extrajudicial dispute resolution mechanism and the adoption of regulatory and legislative amendments to comply with the recommendations of the Convention's Compliance Committee;⁷ and (b) the lack of action by the United Kingdom of Great Britain and Northern Ireland to meet the Convention's requirements regarding prohibitive expenses and increasing retaliation against environmental defenders.

4. Future work

26. The Task Force Chair presented his note (AC/WGP-28/Inf.3) outlining key outcomes of the work to date and proposing the future direction of work on access to justice. Representatives of the European Union and its member States, Norway and NGOs noted the importance of addressing systemic issues in access to justice and in such areas as land use, forestry, environment-related product information, environmental damage, environmental crimes, climate change, marine and renewable energy and the promotion of tools supporting effective access to justice such as e-justice initiatives and the use of digital technologies such as artificial intelligence.

⁴ Available at https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2020.409.01.0001.01.ENG.

⁵ Available at https://wedocs.unep.org/bitstream/handle/20.500.11822/43943/Environmental_rule_of_law_progress.pdf?sequence=3.

⁶ Available at <https://ombuds.am/am/site/SpecialReports> (Armenian only).

⁷ ECE/MP.PP/2021/2/Add.1, decision VII/8a, para. 4 (a)–(d).

5. Conclusions

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

(a) Took note of the:

(i) Report on the outcomes of the survey on measures to enable effective access to justice in environmental matters (ECE/MP.PP/WG.1/2024/11 and AC/WGP-28/Inf.10), information provided by the Task Force on Access to Justice Chair and of his Note (AC/WGP-28/Inf.3) and expressed its appreciation for the work done;

(ii) Comments by delegations concerning the future work in that area, including regarding the key subjects to be considered in the next intersessional period;

(b) Called on Parties to strengthen cooperation between ministries responsible for environment and for justice matters, in particular regarding collective redress mechanisms, and to promote multi-stakeholder national dialogues to remove existing barriers;

(c) Expressed its appreciation to representatives of Finland, the Netherlands, Serbia, the Association of Judges of the Kyrgyz Republic, the European Union Forum of Judges for the Environment and European ECO-Forum for their presentations, and to other speakers for their contribution to the session and took note of the information provided;

(d) Welcomed the exchange of information, experiences, challenges and good practices provided by the representatives of Parties and stakeholders to promote effective access to justice for members of the public to challenge decisions, acts and omissions by private persons and public authorities that contravened provisions of national law;

(e) Welcomed several positive trends that had been identified, namely: the strengthening of the legal framework by several Parties to widen public access to justice; promoting access to justice for members of the public in criminal proceedings; and increasing awareness-raising and capacity-building efforts;

(f) Welcomed initiatives to raise awareness, promote specialization and strengthen cooperation of judiciary, judicial training institutions and other independent review bodies in environmental matters, and invited partner organizations and donors to continue supporting those initiatives;

(g) Reiterated that effective access to justice for members of the public to challenge violations of environmental law was indispensable to meet the Convention's objective to protect the right of every person of present and future generations to live in an environment adequate to his or her health and well-being and adhere to the rule of law in environmental matters;

(h) Encouraged Parties to consider the Convention's implementation challenges regarding youth and children by adopting specific rules of standing concerning individual youth and children and organizations thereof, reversing the burden of proof, providing legal aid, and explicitly relaxing limitation periods for youth and children;

(i) Recognized the important role of collective redress mechanisms in addressing challenges in ensuring effective access to justice for members of the public in environmental matters, and encouraged Parties to continue developing such mechanisms meeting the Convention's requirements and to address that issue in the next intersessional period;

(j) Noted various challenges that had been identified, namely: lack of access to justice to challenge violations of laws relating to the environment in some areas; continuing challenges in adhering to the rule of law and an increase in strategic lawsuits against public participation and other retaliation against environmental defenders; and additional barriers in access to justice faced by individuals and groups in vulnerable situations, such as children, youth and migrants, in particular regarding challenges related to access to information on review procedures, standing, limitation periods, fairness and equity, costs and access to assistance mechanisms;

(k) Noting decision VII/3 on promoting effective access to justice of the Meeting of the Parties (ECE/MP.PP/2021/2/Add.1), called on Parties to continue their work to remove

barriers for members of the public to access justice, especially for individuals and groups in vulnerable situations, in line with the Convention.

B. Access to information

28. The Chair of the Task Force on Access to Information reported on its eighth meeting (Geneva, 9–10 November 2023) and the preparations for its ninth meeting (Geneva, 7–8 November 2024). She presented her note (AC/WGP-28/Inf.1) outlining key outcomes of the work and the proposed direction for the next intersessional period. The representative of the Republic of Moldova reconfirmed the country's interest in chairing the Task Force.

29. Delegations considered the suggested priorities for the next intersessional period contained in the Note and shared their views and recent developments regarding that work area, highlighting: the importance of active collection and dissemination of environmental information through the use of electronic information tools; transparency of public authorities; access to environment-related product information; vulnerable groups' needs; preparation of a draft policy recommendation under the United Nations Centre for Trade Facilitation and Electronic Business (UN/CEFACT); a youth perspective on distinguishing accurate information from misinformation to address information overload and the lack of dedicated platforms on youth environmental rights; the relevance of emerging information technologies such as artificial intelligence; and the impact of military conflicts.

30. The Working Group of the Parties took note of the:

(a) Information provided by the Task Force on Access to Information Chair and of her Note (AC/WGP-28/Inf.1) and expressed its appreciation for the work done;

(b) Report of the Task Force on its eighth meeting (ECE/MP.PP/WG.1/2024/3), welcoming cooperation with UN/CEFACT, UNEP, One Planet Network, the United Nations Conference on Trade and Development and other partners in promoting access to information;

(c) Comments by delegations concerning future work in the area, including regarding key subjects to be considered in the next intersessional period;

(d) Statements and information provided by delegations on recent developments related to access to information;

(e) Progress achieved in implementing the work area on access to information.

C. Public participation in decision-making

31. The Chair of the Task Force on Public Participation in Decision-making reported on the preparations for the Task Force's eleventh meeting (Geneva, 12–13 December 2024). She presented her Note (AC/WGP-28/Inf.2) outlining key outcomes of the work in that area and proposed direction for the next intersessional period.

32. Delegations considered the suggested priorities for the next intersessional period contained in the Note and shared their views and recent developments regarding that work area. The following issues were raised: the importance of councils for youth and elderly persons to advise public authorities on cases concerning those particular groups; the relevance of issues around participation of individuals and groups in vulnerable situation; and public participation when drafting updates to energy and climate plans.

33. The Working Group:

(a) Took note of the:

(i) Information provided by the Chair of the Task Force on Public Participation in Decision-making and of her Note (AC/WGP-28/Inf.2) and expressed its appreciation for the work done;

(ii) Comments by delegations concerning future work in the area, including regarding key subjects to be considered in the next intersessional period;

- (iii) Statements and information provided by delegations on recent developments related to public participation in decision-making;
- (iv) Progress achieved and challenges encountered in implementing the work area on public participation in decision-making;
- (b) Expressed the need to focus more on the issue of more efficiently involving individuals and groups in vulnerable situations to improve their access rights;
- (c) Noted the increased pressures on budgets and resources for public participation across the region; therefore, encouraged Parties to provide and promote enhanced face-to-face and online training for public and private entities conducting consultations and for the public to improve the methodologies and outcomes of all forms of public participation under the Convention's three pillars;
- (d) Called on Parties to ensure that Aarhus Convention experts were involved in implementing permitting and permit acceleration procedures at a national level and in assisting the competent authorities in guaranteeing the public's right to participate and access justice;
- (e) Also called on Parties to mainstream children's rights throughout the Convention's three pillars and within the future work programme by developing child-friendly information, including a child-friendly version of the Convention, by encouraging and creating enabling spaces for children's participation at the national and international levels, and by removing barriers so children could access justice in environmental matters.

D. Genetically modified organisms

34. The Chair of the Fourth Joint Aarhus Convention and Convention on Biological Diversity Round Table on Public Awareness, Education, Access to Information, Public Participation and Access to Justice regarding Living Modified Organisms/Genetically Modified Organisms reported on its outcomes and presented possible future directions for the work. The Round Table was organized by the secretariats of both instruments (Geneva, 11–12 December 2023).

35. Delegates considered the proposed future work presented by the Chair and shared their views and recent developments in that area, in particular regarding ratification of the GMO amendment. A representative of Armenia stated that a law on GMOs had been adopted in January 2023 and its translation shared with the Compliance Committee for advisory opinion. A representative of Kazakhstan reported that a draft law on the GMO amendment was undergoing internal coordination and steps would be taken regarding its ratification. A representative of Kyrgyzstan stated that the matter was under consideration by legislative bodies, but no further action had been taken due to a lack of consensus. A representative of North Macedonia reported that there were plans to adopt the amendment in 2025 and work was ongoing to align national legislation with the amendment. A representative of Tajikistan reported that the 2023 draft law on GMOs was under review and adoption was expected by 2024. A representative of Turkmenistan stated that a report on the subject would be shared with the relevant State structures, followed by advice on the next steps towards ratification. A representative of Ukraine reported that parliament was due to adopt a law on the issue.

36. The following issues were raised: the importance of involving farmers in decision-making on GMOs; the need for capacity-building in countries to support implementation of the amendment; and the importance of ratification by Parties whose ratifications did not count towards the amendment's entry into force.

37. The Working Group:

- (a) Took note of the Report on the Fourth Joint Aarhus Convention and Convention on Biological Diversity Round Table on Public Awareness, Education, Access to Information, Public Participation and Access to Justice regarding Living Modified Organisms/Genetically Modified Organisms (ECE/MP.PP/WG.1/2024/6) and of the Round Table Chair's statement, expressing its appreciation to the Chair for the work done and to the secretariat of the Convention on Biological Diversity for its long-standing cooperation;

(b) Reiterated its serious concern that objective II.2 of the Strategic Plan 2020–2030 (ECE/MP.PP/2021/2/Add.1, decision VII/11, annex), envisaging the GMO amendment’s entry into force by 2022 following its approval by a sufficient number of Parties, had not been achieved;

(c) Took note of the updates by the representatives of Armenia, Kazakhstan, Kyrgyzstan, North Macedonia, Tajikistan, Turkmenistan and Ukraine in that regard;

(d) 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;

(e) Took note of the statements and information provided by delegations on recent developments in the area and called on other Parties that had not ratified the GMO amendment to do so;

(f) Encouraged the Parties to introduce into national legislation the GMO amendment’s requirements pending its entry into force.

V. Promotion of the principles of the Convention in international forums

A. Thematic session

38. The Chair of the thematic session noted topics for the session, i.e., promotion of the Aarhus Convention’s principles in international forums regarding: (a) energy; (b) carbon-trading and other market-based mechanisms; and (c) new or emerging technologies. Additional topics covered: (a) the work of ISA; and (b) written updates on (i) stakeholder engagement in international financial institutions; (ii) stakeholder engagement and access to information policies of UNEP and United Nations Environment Assembly; (iii) stakeholder engagement in Sustainable Development-related Processes; and (iv) stakeholder engagement in United Nations Framework Convention on Climate Change (UNFCCC) processes, with the focus on carbon-trading and other market-based mechanisms.

1. Energy

39. The representative of Ireland presented the country’s international energy policy engagement, noting that the Minister for Environment, Climate and Communications, Mr. Eamon Ryan, had co-chaired the most recent International Energy Agency (IEA) Ministerial Meeting (Paris, 13–14 February 2024) and referring to the communiqué setting IEA mandates and reviewing its achievements, citing paragraphs on international collaboration, access to IEA data and the work of the inter-committee working group as reflecting principles of the Aarhus Convention.⁸ A vast range of data and reports were already available on the IEA website,⁹ including countries’ energy policy reviews and pilot programmes for energy communities that could be implemented as the next step. IEA had hosted the 2024 Global Summit on People-centered Clean Energy Transitions (Paris, 26 April 2024), involving a wide range of stakeholders, and had launched a Global Observatory to track countries’ progress and provide a forum for key stakeholders to discuss fair and inclusive energy transitions.

40. A representative of European ECO-Forum/European Environmental Bureau presented the 1994 Energy Charter Treaty, noting it was no longer compatible with tackling the climate crisis, and called for Parties to withdraw therefrom. She stated that the investor-State dispute settlement mechanism – the Treaty’s driving force – lacked transparency,

⁸ Available at www.iea.org/news/2024-iea-ministerial-communique.

⁹ See www.iea.org/.

presented risks of conflict of interest, and led to disproportionately large awards in compensation for hypothetical future losses.

41. Representatives of NGOs informed participants about initiatives aimed at reducing misinformation on energy and climate change.

2. Carbon-trading and market-based mechanisms

42. A representative of the European Commission discussed how Aarhus Convention principles were reflected in the European Union Emissions Trading System – an integral part of European Green Deal efforts to achieve climate neutrality by 2050 that supported UNFCCC carbon trading. The European Union Emissions Trading System Directive¹⁰ required data monitoring and reporting and contained a dedicated provision on access to information in accordance with the Access to Information on the Environment Directive.¹¹ The related Union Registry¹² was publicly accessible and the Regulation on the Governance of the Energy Union¹³ required European Union member States to develop integrated national energy and climate plans and long-term strategies with stakeholder involvement and to make them publicly available.

43. A representative of European ECO-Forum/Center for International Environmental Law highlighted that carbon markets qualified as “environmental matters” under the Convention, and Parties therefore had an obligation to uphold rights guaranteed under the Convention. Carbon markets failed to mitigate climate change and could lead to human rights violations as a result of credit-generating activities and ongoing fossil fuel activities, which they further enabled. She criticized the grievance mechanism established by article 6 (4) of the Paris Agreement,¹⁴ stressed the importance of public participation in the development of carbon market rules, and raised concerns about a restricted civic space at recent sessions of the Conference of the Parties to UNFCCC, emphasizing the need for safe participation at the twenty-ninth session thereof (Baku, 11–22 November 2024).

44. The Chair of the Task Force on Access to Information emphasized the importance of applying the Convention’s principles to the European Union Carbon Border Adjustment Mechanism and Emission Trading Scheme. A representative of OHCHR reported on the increasing proliferation of market-based mechanisms for climate change mitigation that had led to significant human rights risks and violations, including land grabbing and displacement, calling for clear mandatory rules, including for meaningful and informed participation, to ensure respect for human rights throughout the life cycle of projects.

3. New or emerging technologies

45. A representative of Georgia outlined the country’s participation in international forums, noting that the lack of public participation might generally stem from low awareness of the importance of introducing the Convention’s principles into international forums and a lack of interest and resources. For geoengineering, public engagement was limited due to the topic’s complexity, the lack of knowledge about the potential impacts on peoples’ lives and the limited number of international forums dedicated to the topic. Recommendations included raising awareness, increasing transparency, facilitating access to international forums, capacity-building and demonstrating the benefits of public involvement.

46. A representative of NOAA CSL discussed the importance of assessing climate intervention methods, such as stratospheric aerosol injection and marine cloud brightening, that could rapidly cool Earth but might have unintended consequences, such as altering stratospheric ozone. The Montreal Protocol Parties had thus requested an assessment by the Protocol’s Scientific Assessment Panel of solar radiation modification effects on the stratospheric ozone layer. Reports by United Nations agencies and academics had noted the

¹⁰ See <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02003L0087-20240301>.

¹¹ See <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32003L0004>.

¹² See https://climate.ec.europa.eu/eu-action/eu-emissions-trading-system-eu-ets/union-registry_en.

¹³ See https://eur-lex.europa.eu/legal-content/EN/TXT/?toc=OJ:L:2018:328:TOC&uri=uriserv:OJ.L_2018.328.01.0001.01.ENG.

¹⁴ FCCC/PA/CMA/2021/10/Add.1, para. 62.

need for inclusive, transparent and equitable global review processes and a dedicated international forum for climate intervention governance.

47. A representative of European ECO-Forum/Environmental Justice Network Ireland discussed international regulatory initiatives regarding digital technologies with environmental implications, and business/human rights intersections such as artificial intelligence, distributed ledger technology and blockchain, quantum technologies and corporate due diligence. Parties were urged to ensure that Aarhus principles were respected in such initiatives and to establish common global regulatory standards for those initiatives, with the speaker emphasizing the importance of transparency and public participation in their development.

48. A representative of OHCHR noted that geoengineering did not satisfy States' human rights obligations to take urgent measures to reduce greenhouse gas emissions and should not be pursued without a rights-based governance framework facilitating inclusive dialogue, transparent processes, accountability and effective public participation. Representatives of NGOs expressed concern at the proliferation of open air and water marine geoengineering experiments planned and underway, often without prior consultation or consent of the affected communities, and emphasized the issue of conflict of interests in that context.

4. International Seabed Authority

49. A representative of the ISA secretariat presented the Authority's mandate and scope. Work on the draft regulations to govern the exploitation of the natural resources of the seabed and ocean floor area and the subsoil thereof, beyond the limits of national jurisdiction, is driven by ISA member States. Strong public participation in preparing the draft was guaranteed in three ways: all relevant materials and submissions as prepared by the legal and technical commission were made available on the ISA website; negotiations were being conducted in an open format; and a significant number of proposals implemented in the draft emanated either from member States based on input from civil society representatives, or directly from the latter.

50. A representative of the Group of independent experts on ISA highlighted that: publicly accessible ISA information systems were difficult to use and incomplete; public participation and stakeholder engagement remained discretionary, ad hoc and irregular; and, there were no independent complaints or oversight mechanisms. Parties should promote the Convention's principles in the next ISA institutional review and in developing ISA policies and regulations. Convention and ISA secretariats need to strengthen cooperation; the Special Rapporteur on environmental defenders could examine relevant issues at ISA.

51. A representative of OHCHR expressed concerns about the negative environmental and human rights impacts of deep seabed exploitation, including limited transparency and accountability at ISA during the ongoing negotiations on draft regulations on commercial exploitation of minerals on the seabed, noting that ISA member States rarely discussed human rights implications and encouraging Parties to champion application of the Almaty Guidelines on Promoting the Application of the Principles of the Aarhus Convention in International Forums¹⁵ at ISA. A representative of Switzerland expressed support for the right to peaceful protest at sea and highlighted the importance of promoting the Convention's principles in international forums, noting that the issue of the Convention's applicability in international waters and its territorial scope required further consideration.

5. General discussion

52. Representatives of NGOs noted challenges for public participation in several process, including on: plastics; education for sustainable development and trade; application of article 3 (7) of the Convention to bilateral transboundary agreements on water bodies; and the importance of engaging youth in international decision-making.

¹⁵ See ECE/MP.PP/2005/2/Add.5, annex.

6. Chair's summary of the session

53. Promoting a proper balance between different stakeholders in international processes is crucial, especially due to potential conflicts of interest owing to the predominance of industry or corporate representation in certain meetings or other settings. While private sector involvement is essential for advancing new or emerging technologies and the energy transition, related supporting measures must not undermine national and international commitments related to human rights, public participation and environmental policies. Ensuring civil society participation is thus vital. It is important to align the text of some agreements, such as the 1994 Energy Charter Treaty, with recent commitments, namely the Paris Agreement, so as to promote public participation.

54. New or emerging technologies, such as geoengineering, artificial intelligence or blockchain, require serious consideration due to the inequalities they can reinforce between population groups or member States. The absence of regulatory frameworks for these technologies hampers public participation. The technologies' complex technical nature also makes knowledge acquisition in their regard difficult and the involvement of diverse groups, particularly the most vulnerable, in relevant decision-making, highly challenging. Additionally, artificial intelligence raises human rights concerns. Continued engagement of Aarhus Parties with the OHCHR Working Group on Business and Human Rights can help balance intellectual property protection with the need for openness, transparency, public participation, equality and risk assessment of technologies. Addressing these issues also requires integrated action between international treaties such as the Aarhus Convention and the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement) and the establishment of international governance frameworks for the technologies in question.

55. The discussion on deep seabed mining illustrated uncertainty in regulating this subject and potential conflicts of interest of the private sector. Although stakeholders are engaged in the discussion about exploitation regulations, applications for deep seabed mining are expected soon, raising concerns about their implementation and dispute management. Aarhus Convention Parties who are also ISA Assembly members should ensure that Aarhus principles are addressed properly in the next ISA institutional review. They need to align ISA policies and procedures fully with the Aarhus principles, such as stakeholder engagement policies, environmental information-sharing, and public complaints and whistle-blower procedures.

B. Future work

56. The Chair of the thematic session presented her note (AC/WGP-28/Inf.4) outlining key outcomes of the work in the area and proposed direction for the next intersessional period. Delegations considered the suggested priorities for the next intersessional period contained in the Note and shared their views and recent developments.

C. Conclusions

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

(a) Took note of the information provided by the Chair of the thematic session on the promotion of the principles of the Aarhus Convention in international forums and of her Note (AC/WGP-28/Inf.4) and expressed its appreciation for the work done;

(b) Also took note of comments by delegations concerning the future work in the area, including regarding the key subjects to be considered in the next intersessional period;

(c) Expressed its appreciation to representatives of the European Union, Georgia, Ireland, NOAA, European ECO-Forum, the ISA secretariat and the Group of independent experts on ISA for their presentations, and to other speakers for their contribution to the session, and took note of the information provided;

(d) Also expressed its appreciation to the secretariats of UNFCCC, UNEP and ECE, as well as to the European Bank for Reconstruction and Development, the European Investment Bank and the World Bank for their written updates, and took note of them;

(e) Took note of the statements by Parties and stakeholders regarding promotion of the Convention's principles in processes dealing with energy, carbon trading and other market-based mechanisms, new or emerging technologies, and with ISA;

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

(g) Urged Parties in that regard to ensure that article 3 (7) of the Convention, the Almaty Guidelines and the associated Checklist on measures to be borne in mind when developing a national action plan to systematically promote the principles of the Convention in all international forums dealing with matters relating to the environment¹⁶ were applied to all international forums falling under article 3 (7) of the Convention;

(h) Called on Parties to promote the application of the Aarhus Convention principles in the work of ISA, including by adopting appropriate policies and procedures at ISA to promote environmental information-sharing, public participation and access to justice and by contributing to the next ISA institutional review (due 2024–2025);

(i) Also called on Parties and requested the secretariat to promote the application of the Aarhus Convention principles in the work of the Council of Europe across its environmentally significant work areas, particularly in the work of the Committee on Artificial Intelligence on the Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law;

(j) Further called on Parties and requested the secretariat to promote the application of the Aarhus Convention principles in the work of OHCHR on development of a legally binding instrument to regulate, in international human rights law, the activities of transnational corporations and other business enterprises, and in the work of UNDP regarding said instrument's implementation;

(k) Requested the secretariat to strengthen cooperation with the ISA secretariat, including by contributing to the review of ISA draft regulations in the light of the requirements of article 3 (7) of the Convention and the Almaty Guidelines;

(l) Took note of Parties' and stakeholders' statements and written updates regarding other subject areas discussed at the session, such as: stakeholder engagement in international financial institutions and in Sustainable Development- and climate-related processes; stakeholder engagement and access to information policies of the UNEP and United Nations Environment Assembly; stakeholder engagement in the Thirteenth World Trade Organization Ministerial Conference (Abu Dhabi, 26 February–2 March 2014), in the Intergovernmental Negotiating Committee on Plastic Pollution and in the ECE process on Education for Sustainable Development, and urged Parties to continue promoting the Convention's principles in those forums;

(m) Recognized that interventions of Parties to the Convention in other international processes were critical to the promotion of public participation;

(n) Took note of the request to the secretariat to carry out a survey among international forums falling under article 3 (7) of the Convention to inquire how the rules and procedures of those forums handled the issue of conflict of interest;

(o) Took note of comments by delegations concerning the future work in the area, including regarding the key subjects to be considered in the next intersessional period;

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

(q) 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 Working Group of the Parties meeting.

¹⁶ Available at <https://unece.org/info/Environment-Policy/Public-participation/pub/375747>.

VI. Procedures and mechanisms

A. Compliance mechanism

1. Compliance Committee

58. The Chair of the Compliance Committee reported on the Committee's activities, including its 43 pending communications, 21 follow-ups on decisions and requests of the Meeting of the Parties and findings of non-compliance, and 3 requests from Parties for advice. She emphasized that it was expected that both the Party concerned and the communicant would attend the hearing in person. She recalled that all measures to implement decisions and requests of the Meeting of the Parties must be completed, and reported to the Committee by 1 October 2024. She expressed concern that 2 (i.e. Hungary and Ukraine) of the 18 Parties concerned had not yet submitted their first progress reports, due on 1 October 2023. The Committee called upon Hungary to submit its outstanding progress report as a matter of urgency and, recognizing the exceptional circumstances of the ongoing war, called upon Ukraine to do so as soon as possible. She stated that, while it was positive that the Committee was in very high demand, it lacked 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 the required 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.

59. A representative of the European Union and its member States thanked the Committee for its close engagement with Parties in assisting in the Convention's implementation. A representative of Norway thanked the Committee for its continued efforts to ensure adherence to the Convention and acknowledged the Committee's need for increased resources. She noted with appreciation the progress of the European Union in implementing the Committee's recommendations regarding communication ACCC/C/2015/128 (ECE/MP.PP/C.1/2021/21) and expressed her country's expectation that the European Union would follow up on its expressed commitment in time for the Committee's report to the Meeting of the Parties. Representatives of NGOs expressed their gratitude to the Committee for its invaluable work, urged Parties to ensure compliance with the Convention, proactively engage with the Committee and increase funding for its work, and called upon the European Union and its member States to urgently implement the Committee's recommendations regarding communication ACCC/C/2015/128.

60. The Working Group:

(a) Took note of the information provided by the Chair of the Compliance Committee on the outcomes of its eightieth, eighty-first, eighty-second and eighty-third meetings (Geneva, respectively, 19–22 September 2023, 12–15 December 2023, 20–23 February 2024 and 11–14 June 2024) and expressed its appreciation to the Committee and its Chair for the work done, especially in the light of the Committee's significantly increased workload;

(b) Called on Parties to respond to the Compliance Committee Chair's call to urgently respond with increased and sustained funding support for the secretariat, in the light of the Committee's increased workload and further demands on the secretariat, to additionally support the rapid response mechanism;

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

(d) Urged all Parties subject to a decision or request of the Meeting of the Parties concerning their compliance to implement that decision or request in a timely and effective manner, recalling in particular the deadline of 1 October 2024, by which time each Party concerned must have submitted its final report to the Committee demonstrating that it had fully met the requirements of the decision concerning its compliance;

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

(f) Also called on Parties and partner organizations to raise awareness of the Compliance Committee through e.g., introducing relevant information in national language(s) on their web pages with the link to the Committee's web page;

(g) Stressed that full and effective implementation of the Convention was the first and best way to ensure environmental defenders' safety and to ensure that the exercise of rights under the Convention was guaranteed.

2. Special Rapporteur on environmental defenders

61. 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; tools developed to deal with complaints; awareness-raising of the Parties' obligations under article 3 (8) and his mandate; the organization of regional consultations with environmental defenders; and his efforts to strengthen legal recognition and protection of environmental defenders as an important element of his work. He also addressed points raised by Parties in their responses to his letters of allegation in the context of complaints, including: the role of courts; persecution, penalization or harassment by private companies; the extraterritorial scope of obligations under the Convention; and the right to participate in environmental protest. He presented a film on his mandate and highlighted his concern regarding the severe lack of funding and human resources to ensure an effective rapid response mechanism and the huge burden imposed on the small team supporting his mandate.

62. A representative of the European Union and its member States thanked the Special Rapporteur for his work; noted his initiative to draft guidance on article 3 (8) of the Convention; and highlighted the European Union legislation to protect environmental defenders. A representative of Norway emphasized the critical role of environmental defenders and reiterated the commitment of Norway to their protection. She commended the Special Rapporteur and thanked him for clarifying questions of interpretation surrounding article 3 (8) of the Convention, noting complaints regarding several Parties, including Norway. A representative of the United Kingdom of Great Britain and Northern Ireland stated that his country welcomed the creation of the rapid response mechanism and also welcomed the Special Rapporteur's recent visit to London this year. The country looked forward to working constructively with the Special Rapporteur, the Convention's secretariat and other Parties to ensure that the rapid response mechanism was a success. A representative of OHCHR congratulated the Special Rapporteur on his work to promote a safe and enabling environment for environmental defenders, expressed support for his mandate and highlighted challenges faced by environmental defenders in Europe and Central Asia due to shrinking civic space and an unfavourable political landscape affecting their rights to freedom of expression, assembly and association. She emphasized both the importance of protecting those rights to effectively address the environmental crisis and the readiness of OHCHR to support the Special Rapporteur's mandate. Representatives of NGOs thanked the Special Rapporteur for his work, condemned the proliferation of laws on foreign agents in several Aarhus Parties, including Georgia and Kyrgyzstan, as well as similar proposals in Bosnia Herzegovina, Slovakia and Hungary, which undermined democratic values, had a negative impact on access to information and media freedom and led to social division and silencing of defenders. The representatives of NGOs also condemned the measures issued by the ISA Secretary-General against Greenpeace for its peaceful protest against deep-sea mining, and urged all Aarhus Parties to support the protection of environmental defenders and the right to protest peacefully at sea, and highlighted the use, in the United Kingdom of Great Britain and Northern Ireland, of court injunctions targeting environmental defenders and making it illegal and punishable by severe penalties to protest at over 1,200 locations.

63. 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) Also took note of statements by delegations and the information they had provided on recent developments and other matters related to protection of environmental defenders;

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

(d) Stressed that ensuring environmental defenders' safety was a key prerequisite for achieving the objective of the Convention and its effective implementation, as well as being indispensable for the achievement of the Sustainable Development Goals, in particular Goal 16;

(e) 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 (8) of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (ECE/MP.PP/2021/2/Add.1);

(f) Called on Parties, other interested member States and partner organizations to:

(i) Support the Special Rapporteur's work;

(ii) Raise awareness of the rapid response mechanism through e.g., introducing relevant information in national language(s) on their web pages with the link to the Special Rapporteur's web page;

(g) Encouraged all Parties, as a sign of good faith and commitment to ensuring an enabling environment for environmental defenders, to invite the Special Rapporteur to visit their country to raise awareness about the mandate and Parties' obligations under article 3 (8) of the Convention.

B. Reporting mechanism

64. The secretariat reported that Tajikistan had submitted its national implementation report for the 2021 reporting cycle on 7 December 2023 and only the Netherlands had failed to submit its report for that cycle. A representative of the Netherlands stated that it was working on elaborating the outcomes of public consultation. The secretariat presented key practical aspects for reporting, noting the launch of the 2025 reporting cycle in February 2024 with instructions regarding report preparation.¹⁷

65. The Working Group:

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

(b) Recalled its concern over the failure of the Netherlands to submit a report on the implementation of the Convention for the 2021 reporting cycle and urged that Party to do so without any further delay;

(c) Urged Parties to proceed with preparing national implementation reports for the 2025 reporting cycle so as to ensure timely submission.

C. Capacity-building and awareness-raising

66. A representative of the European Union and its member States thanked the secretariat for its advisory support to Parties and non-Parties and welcomed the intention expressed by the Mediterranean region countries to further accession to the Convention. It stressed the importance of pursuing such activities in the future in order to strengthen the expert capacity of public authorities in the Mediterranean region. A representative of UNDP reported on support activities for South-Eastern Europe, the Caucasus and Central Asia in the area of access to justice in environmental matters. A representative of OSCE reported that several

¹⁷ Available at https://unece.org/sites/default/files/2024-07/Item6b_Reporting_mechanism_2025_Reporting_Cycle_Practicalconsiderations.pdf.

activities of a three-year project aimed to ensure Aarhus Centres' sustainability, launched in 2023, had already been completed, including the creation of an e-learning course on fundraising and financial sustainability; and a capacity-strengthening programme for the Centres. A representative of the NGO youth network reported on efforts to equip youth to participate in drafting and implementation of national energy and climate plans in the European Union.

67. The Working Group:

- (a) Took note of the information provided by the secretariat and delegations;
- (b) Expressed its appreciation to Parties, Aarhus Centres, partner organizations, and stakeholders for the continuing cooperation with the secretariat on capacity-building activities in promoting the Aarhus Convention at the regional, national and local levels;
- (c) Took note of the information provided by the representatives of OSCE and UNDP and expressed its appreciation to those and other partner organizations for supporting the Convention's implementation;
- (d) Recognized once again the important role that 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 the Sustainable Development Goals; in that regard, welcomed actions taken by OSCE in promoting the Centres' sustainability and called on Parties and other interested member States to support the efforts of OSCE;
- (e) Encouraged national focal points to reach out to authorities responsible for development assistance and technical cooperation programmes to explore the possibility of integrating the Convention into those programmes as a cross-cutting instrument supporting achievement of the Sustainable Development Goals and environmental justice;
- (f) Recognized the importance of engagement of children and youth in capacity-building activities supporting the Convention's implementation and called on Parties and partner organizations to promote such engagement by including, among other things, dedicated training sessions on participatory rights and simplified information related to the exercise of rights granted by the Convention.

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

A. Future work programme

68. The Chair introduced Draft elements of the work programme for 2026–2029 (ECE/MP.PP/WG.1/2024/7). Delegations considered the draft and raised the following issues: support for applying the same work areas and allocating costs in the same proportion as in the current work programme; the importance of allocating sufficient staff resources to the Compliance Committee; the lack of support for capacity-building and promotion of the Convention and the need to strengthen cooperation with other relevant organizations and processes and to devote more effort to promotion work; consideration of prioritization and cost-reduction without putting efficient implementation of the Convention and enjoyment of the rights it provided at risk; and mainstreaming children's rights within the future work programme.

69. The Working Group of the Parties:

- (a) Took note of the comments and information provided by participants regarding Draft elements of the work programme for 2026–2029 (ECE/MP.PP/WG.1/2024/7);
- (b) Requested the Bureau to:
 - (i) Prepare a draft decision on the future work programme based on the Draft elements of the work programme for 2026–2029 (ECE/MP.PP/WG.1/2024/7), taking into consideration comments provided at the meeting, for its submission to the twenty-

ninth meeting of the Working Group for consideration and approval and subsequent submission to the Meeting of the Parties for consideration. The draft decision would be circulated to Parties and stakeholders for comments prior to its finalization for the twenty-ninth meeting of the Working Group;

(ii) Also prepare draft decisions on access to information, on public participation in decision-making, on access to justice and on promoting the Convention's principles in international forums, based on the Notes prepared by the respective Chairs and taking into consideration comments provided at the meeting, for their submission to the twenty-ninth meeting of the Working Group for consideration and approval and subsequent submission to the Meeting of the Parties for consideration. The draft decisions would be circulated to Parties and stakeholders for comments prior to their finalization for the twenty-ninth meeting of the Working Group.

B. Future financial arrangements

70. The Chair introduced the Draft elements of possible financial arrangements under the Convention (ECE/MP.PP/WG.1/2024/8). The secretariat reported that the Bureau of the Protocol on PRTRs proposed to increase the minimum contribution to \$2,000.

71. A representative of the European Union and its member States supported a voluntary financial scheme. The representatives of Norway and Switzerland supported a mandatory financial scheme based on an adjusted United Nations scale of assessed contributions, as well as increasing the minimum contribution to \$2,000. Several Parties voiced their support for a recommendatory financial scheme, as a voluntary scheme prevented sustainable allocation of funds in their national budgets.

72. Representatives of NGOs called on Parties to advance towards adopting a mandatory, or, at the very least, a recommendatory financial scheme.

73. The Working Group of the Parties:

(a) Took note of comments provided by participants regarding Draft elements of possible financial arrangements under the Convention (ECE/MP.PP/WG.1/2024/8);

(b) Requested the Bureau to prepare a draft decision on financial arrangements in the light of the Working Group's comments for its submission to the twenty-ninth meeting of the Working Group for consideration and approval and subsequent submission to the Meeting of the Parties for consideration. The draft decision would be circulated to Parties and stakeholders for comments prior to its finalization for the twenty-ninth meeting of the Working Group.

C. Agenda of the eighth session of the Meeting of the Parties

74. The Chair introduced the Draft outline of the provisional agenda of the eighth session of the Meeting of the Parties to the Aarhus Convention (ECE/MP.PP/WG.1/2024/10). Delegations voiced their support for the document. The secretariat reported on the outcomes of the twenty-fifth meeting of the Protocol's Bureau (Geneva (hybrid), 20 June 2024) on that item.¹⁸

75. The Working Group:

(a) Took note of the information provided by the secretariat and participants' comments regarding the Draft outline of the provisional agenda of the eighth session of the Meeting of the Parties to the Aarhus Convention (ECE/MP.PP/WG.1/2024/10), supporting in general its structure, substantive scope and themes of the High-level Segment;

(b) Requested the Bureau to prepare:

¹⁸ See Report of the twenty-fifth meeting of the Bureau, para. 6. Available at https://unece.org/sites/default/files/2024-08/Protocol_PRTR_Bureau_25_Report_0.pdf.

- (i) A draft provisional agenda for the eighth session of the Meeting of the Parties in accordance with the above-mentioned draft outline;
- (ii) A draft Declaration jointly with the Protocol's Bureau, in the light of the comments by the Working Group provided at the meeting, for its submission to the twenty-ninth meeting of the Working Group for consideration and approval and subsequent submission to the Meeting of the Parties for consideration. The draft Declaration would be circulated to Parties and stakeholders for comments prior to its finalization for the twenty-ninth meeting of the Working Group.

D. Hosting of the eighth session of the Meeting of the Parties

76. A representative of Lithuania reconfirmed the country's preliminary interest in hosting the next sessions of the Meetings of the Parties to the Aarhus Convention and to the Protocol on PRTRs in 2025 and noted that the decision would be communicated to the secretariat in September 2024. The secretariat outlined the next steps in organizing the sessions.

77. The Working Group of the Parties:

(a) Took note of the information shared by the secretariat regarding the eighth session of the Convention's Meeting of the Parties to be held back-to-back with the fifth session of the Meeting of the Parties to the Protocol in autumn 2025;

(b) Noted the confirmation of preliminary interest in hosting the sessions expressed by the representative of Lithuania and agreed that, in the absence of the timely submission of formal confirmation of that interest to the secretariat, the next sessions would be held in Geneva.

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

78. The secretariat reported on a regional training session to promote the Aarhus Convention in the Mediterranean region (Athens, 14–15 November 2023). Several representatives of Parties and NGOs made statements.

79. The Working Group:

(a) Took note of the statements and information provided by delegations regarding promotion of the Convention and other relevant developments and interlinkages during the reporting period;

(b) Welcomed initiatives taken by the secretariat, Parties and stakeholders to promote the Convention beyond the ECE region and in other relevant processes. It called upon the secretariat and other relevant organizations to continue cooperation and further promote synergy in the area of environmental rights;

(c) Called on Parties to support efforts of the countries of the Mediterranean region to accede to the Convention;

(d) Reiterated its call to promote cooperation between the Aarhus Parties, the secretariat, the Convention's bodies and its mechanisms, and stakeholders with their corresponding counterparts under the Escazú Agreement.

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

80. The secretariat reported on recent pledges received from Parties, and on major trends and concerns related to the financial situation. The Chair reported on his letter, on behalf of the Bureau, to Parties with at least two pending contributions during the current and the two previous work programmes: Armenia, Azerbaijan, Guinea-Bissau, Greece, North

Macedonia, Republic of Moldova, Romania, Serbia, Slovenia, Tajikistan and Turkmenistan. Representatives of several Parties and NGOs made statements.

81. The Working Group:

(a) Took note of the Report on the implementation of the work programme for 2022–2025 (ECE/MP.PP/WG.1/2024/4), the Report on contributions and expenditures in relation to the implementation of the Convention's work programme for 2022–2025 (ECE/MP.PP/WG.1/2024/5), the Note on contributions and pledges in relation to the implementation of the work programmes for 2022–2025, received between 1 May and 25 June 2024 (inclusive) (AC/WGP-28/Inf.7), and information provided by the secretariat;

(b) Noted with concern the substantial increase in technical, other operational and support costs (work area XII) for the provision of secretariat administrative services and requested the secretariat to provide detailed information on those charges (e.g., price lists, expenditure reports on charges) for its next meeting;

(c) Welcomed the synergies with partner organizations that helped with effective implementation of the work programme;

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

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

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

(g) Expressed appreciation to the secretariat for its commitment and effective work in servicing the Convention;

(h) Expressed serious concern regarding the continuous low level and irregularity of financial contributions, which had an impact on implementation of the work programme, and requested the Convention's national focal points to bring that serious issue to the attention of responsible authorities of Parties so as to ensure the required funding for the work programme's implementation;

(i) Took note of the grave concerns expressed by the Compliance Committee Chair, the Special Rapporteur on environmental defenders and representatives of NGOs regarding the severe lack of resources for these work areas;

(j) Called on all Parties to strive to increase their contributions at least by 40 per cent in view of the expanded workload and complexity of the work of the Compliance Committee and the rapid response mechanism, including regarding advisory support and capacity-building for the Parties, as provided for in the adopted work programme for 2022–2025;

(k) Underlined that the work programme's implementation supported Parties' efforts in achieving the Sustainable Development Goals and other relevant international commitments, in particular targets 16.3 (promote the rule of law at the national and international levels and ensure equal access to justice for all), 16.7 (ensure responsive, inclusive, participatory and representative decision-making at all levels) and 16.10 (ensure public access to information and protect fundamental freedoms), as well as Goals 3 (good health and well-being), 6 (clean water and sanitation), 7 (affordable and clean energy), 9 (industry, innovation and infrastructure), 11 (sustainable cities and communities), 12 (responsible consumption and production), 13 (climate action), 14 (life below water), 15 (life on land) and 17 (partnerships for the Goals).

X. Adoption of outcomes

82. The Working Group of the Parties adopted the list of decisions and major outcomes of the meeting (AC/WGP-28/Inf.11), and requested the secretariat, in consultation with the Chair, to finalize the report of the meeting and incorporate therein the adopted outcomes and decisions.
